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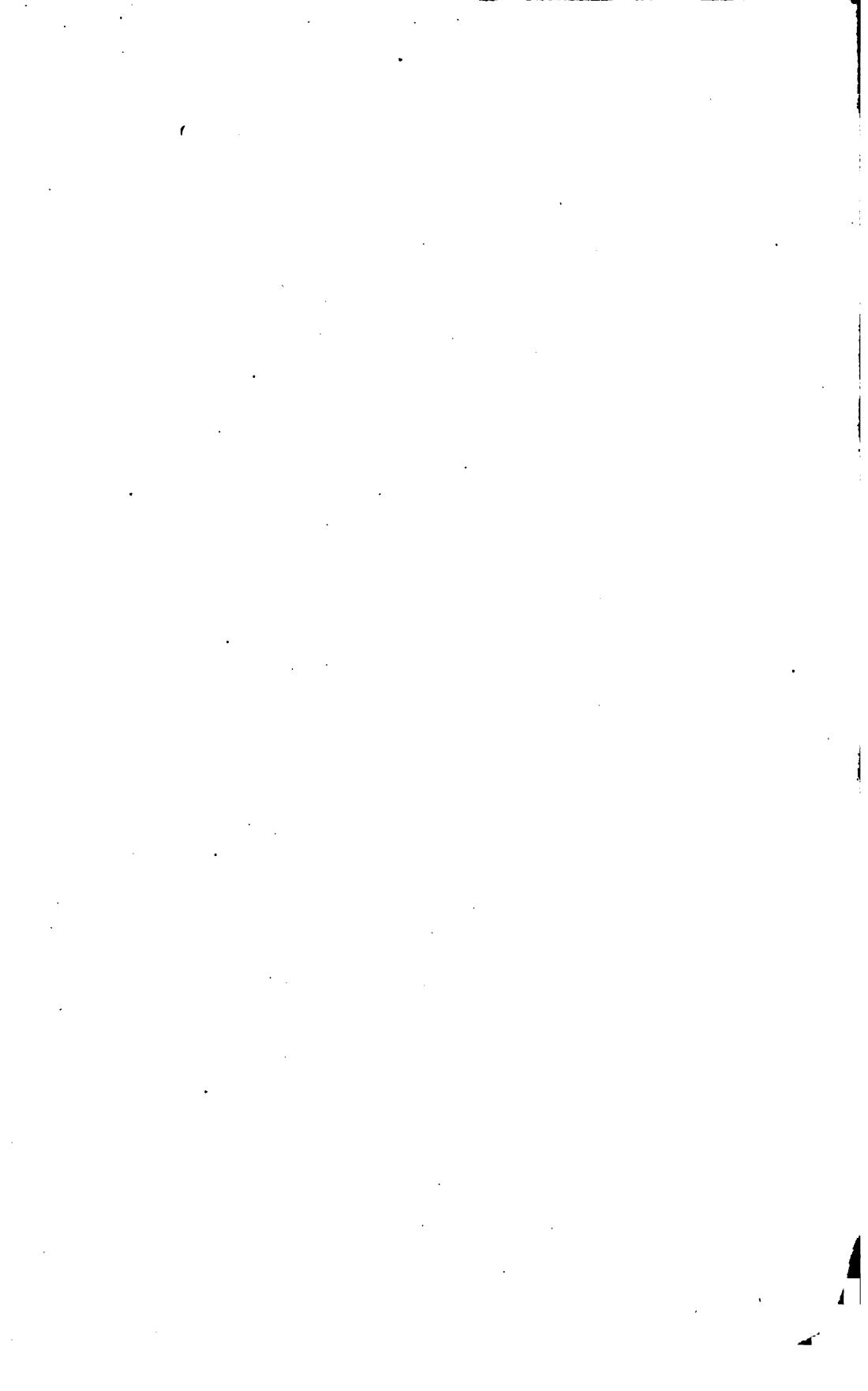
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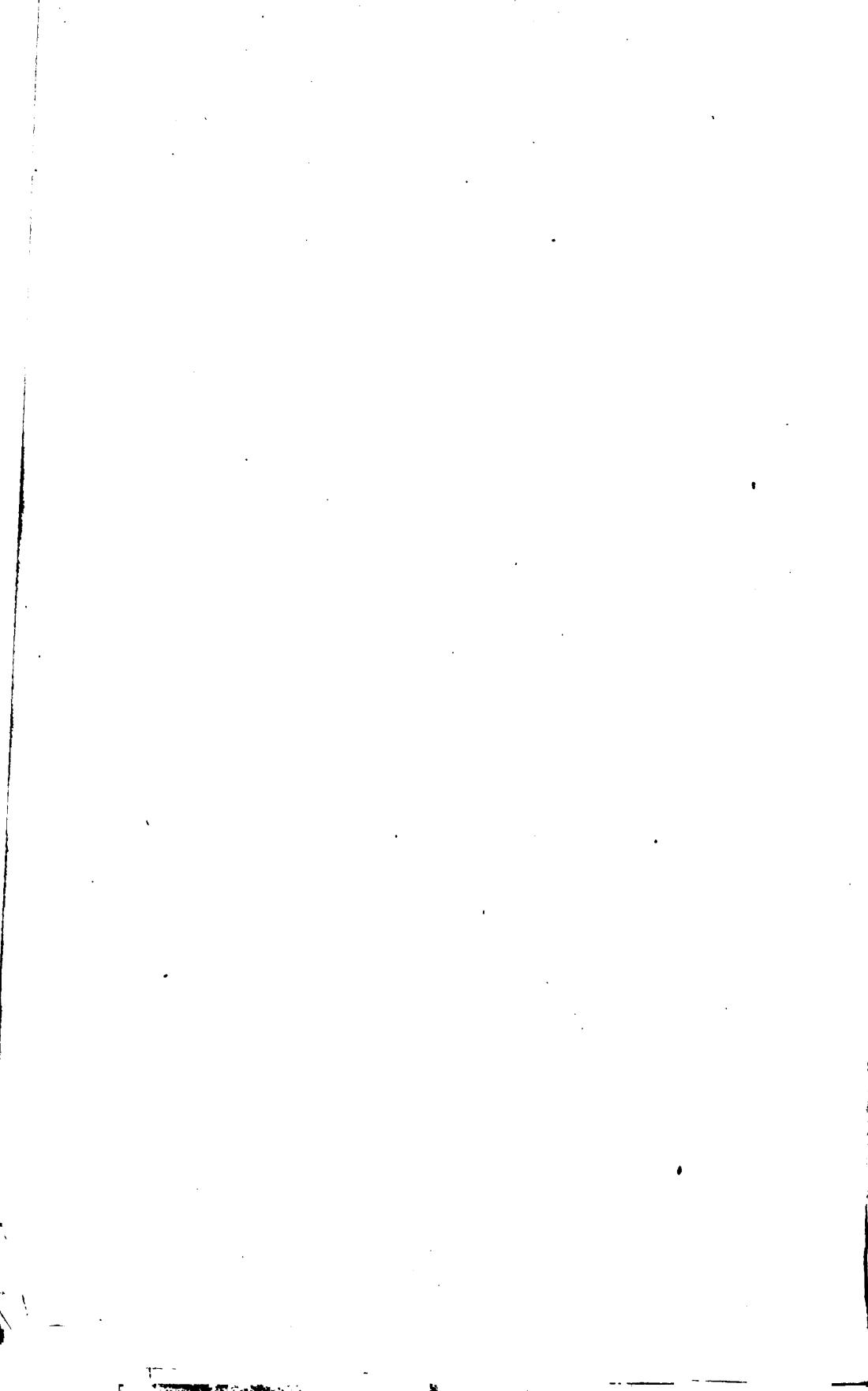
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South Carolina Collection







# ACTS AND JOINT RESOLUTIONS

OF THE

# GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,



PASSED AT THE

REGULAR SESSION OF 1874-75.

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Printed by Order of the General Assembly, and Designed to Form a Part of the Fifteenth Volume  
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ACTS OF THE GENERAL ASSEMBLY  
OF THE  
STATE OF SOUTH CAROLINA,

*Passed at the Regular Session, which was begun and held at the  
City of Columbia, on the Twenty-fourth day of November, A.  
D. 1874, and was adjourned without day on the 26th day  
of March, A. D. 1875.*

DANIEL H. CHAMBERLAIN, Governor. R. HOWELL GLEAVES,  
President of the Senate. ROBERT B. ELLIOTT, Speaker of the  
House of Representatives.

A. D. 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT REQUIRING A NO. 647.  
BOND FROM COUNTY COMMISSIONERS, BEFORE ENTERING UPON  
THE DUTIES OF THEIR OFFICE."

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act requiring a bond from County Commissioners, before entering upon the duties of their office," be, and the same is hereby, amended, by inserting between the word "Counties," and the word "conditioned," on the eighth line thereof, the following words, to wit: "Or in case of a vacancy in his office, then by the Attorney General of the State."

When Attorney General may approve certain bonds.

Approved December 21, 1874.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF THE NO. 648.  
SALARY AND MILEAGE OF THE MEMBERS OF THE GENERAL  
ASSEMBLY, AND THE SALARIES OF THE SUBORDINATE OFFICERS  
AND EMPLOYEES, AND OTHER EXPENSES INCIDENTAL THERETO.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1874. General Assembly, and by the authority of the same, That for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other incidental expenses, the sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated as follows:

Amount ap-  
propriated. Pay of mem-  
bers. For the payment of the salary and mileage of the members of the General Assembly, one hundred and three thousand dollars, or so much thereof as may be necessary.

For the salary of J. Woodruff, Clerk of the Senate, twenty-five hundred dollars.

For the salary of A. O. Jones, Clerk of the House of Representatives, twenty-five hundred dollars.

For the salary of John A. Baire, Assistant Clerk of the Senate, twelve hundred dollars.

For the salary of Wm. J. Etter, Assistant Clerk of the House of Representatives, twelve hundred dollars.

For the salary of H. L. Shrewsbury, Journal Clerk of the House of Representatives, one thousand dollars.

For the pay of R. A. Sisson, Reading Clerk of the Senate, six dollars per day during the session.

For the pay of W. R. Marshall, Reading Clerk of the House of Representatives, six dollars per day during the session.

For the pay of J. E. Green, Sergeant-at-Arms of the Senate, six dollars per day during the session.

For the pay of George C. Clyde, Sergeant-at-Arms of the House of Representatives, six dollars per day during the session.

For the pay of Henry Daniels, Assistant Sergeant-at-Arms of the House of Representatives, five dollars per day during the session.

For the pay of James Wells, Chief Messenger or Bill Clerk of the Senate, three dollars per day during the session.

For the pay of the Chief Messenger or Bill Clerk, R. W. Butler, of the House of Representatives, five dollars per day during the session.

For the pay of Alfred Willams, John West, R. W. Boone, Committee Clerks of the Senate; W. J. Corbit, R. H. Kirk, Nathan R. Williams, I. H. White, C. J. Houston, Salles Randall, Committee Clerks of the House of Representatives, five dollars per day, each, during the session.

For the pay of Adam Thomas, Henry Bee, doorkeepers of the Senate; R. R. Duncan, Augustus Harris, S. P. Pickly, doorkeepers of the House of Representatives, three dollars per day, each, during the session.

For the pay of Cyrus Singleton, Isaac Castles, James Major, <sup>A. D. 1874.</sup>  
Messengers of the House of Representatives, three dollars per day,  
each, during the session.

For the pay of J. B. Biers, John Evans, Simeon Sanders,  
laborers of the Senate; Preston Richardson, David Singleton,  
Edmund Stubbs, Jesse Cokely, laborers of the House of Repre-  
sentatives, three dollars per day during the session.

For the pay of M. Pinckney, mail carrier of the House of  
Representatives, three dollars per day during the session.

For the pay of Lewis Grant, porter in office of Clerk of the  
Senate, three dollars per day during the session.

For the pay of Wm. Lomax, Wyatt Dibble, Thomas H. Hayne,  
John Reese, Pages of the Senate; F. A. Spellman, Charles Levy,  
James M. Mobley, James Lee, Pages of the House of Representa-  
tives, one dollar and fifty cents per day, each, during the session.

For the pay of James W. Wilkinson, L. T. Levin, H. H. Logan,  
M. R. Sturgis, J. Bahlman, William Bollinger, Engrossing Clerks  
in the office of Secretary of State, six dollars per day during the  
session.

For the pay of Samuel J. Lee, T. M. Wilkes, T. S. Cavender,  
H. Noah, attorneys and clerks in office of Attorney General, six  
dollars per day during the session.

For the pay of William Vaughn, porter in office of Secretary of  
State, three dollars a day during the session.

For incidental or contingent expenses of the Senate, ten thousand  
dollars, or so much thereof as may be necessary, to be paid on ac-  
counts audited by the Committee on Contingent Expenses of the  
Senate, and passed by that body. All accounts, after being so  
audited, shall, before payment, be itemized, printed and laid on  
the desks of members of the Senate, for inspection and approval.

For incidental or contingent expenses of the House of Representa-  
tives, three thousand dollars, or so much thereof as may be neces-  
sary, to be paid on accounts audited by the Committee on Contin-  
gent Accounts of that body. All accounts, after being so audited,  
shall, before payment, be itemized, printed and laid on the desks of  
members of the House of Representatives for inspection and ap-  
proval.

SEC. 2. That the President of the Senate and Speaker of the  
House of Representatives, respectively, shall furnish pay certificates  
for the amount of salary and mileage due to each member of the  
Senate and House of Representatives, as fixed by an Act entitled  
"An Act to regulate the pay of the members of the General As-  
sembly," approved March 13, 1872, and to each officer or employee

A. D. 1875.

of that branch of the General Assembly to which such officer or employee shall respectively belong, signed by the presiding officers, respectively, and properly attested to by the Clerk of such branch of the General Assembly.

Contingent expenses, mode of payment.

SEC. 3. That the payment of contingent accounts shall be made upon certificates of that House in which accounts are passed, signed by the presiding officer and attested by the Clerk of each House, respectively, and countersigned by the Chairman of Committee on Contingent Accounts; and the State Treasurer is hereby authorized and directed to pay, at his counter, said certificates as above set forth.

State Treasurer to pay certificates at his counter.

SEC. 4. That in the payment of the said appropriation, the State Treasurer is hereby authorized and directed to pay, at his counter, said orders or certificates in the following order:

First. Certificates of members of the Senate and House of Representatives for salary and mileage.

Second. Certificates of officers of the two Houses for salary.

Third. Certificates of pay for Sergeant-at-Arms and Assistant Sergeant-at-Arms, Reading Clerk, Committee and Engrossing Clerks, Attorneys at Law, Bill Clerks, Messengers, Porters, Laborers, Pages.

Fourth. Certificates or orders for incidental or contingent expenses.

Approved December 22, 1874.

No. 649. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ESTABLISH AN INFERIOR COURT FOR THE TRIAL OF CRIMINAL CASES IN THE COUNTY OF CHARLESTON."

Inferior Court abolished. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish an Inferior Court for the trial of criminal cases in the County of Charleston" be, and the same is hereby, repealed.

Cases on docket to be transferred to docket of Court of General Sessions. SEC. 2. That all cases now on the docket of said Inferior Court shall be transferred to the docket of the Court of General Sessions for said County, and shall thenceforth proceed, in all respects, as though the same had been commenced in the Court of General Sessions.

Approved January 13, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW JUDICIAL AND ELECTION COUNTY FROM PORTIONS OF THE COUNTIES OF BARNWELL, EDGEFIELD, LEXINGTON AND ORANGEBURG, TO BE KNOWN AS AIKEN COUNTY," AND FOR OTHER PURPOSES.**

A. D. 1875.  
No. 650.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same; That so much of Section 3 of an Act entitled "An Act to establish a new Judicial and Election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County," as designates and appoints Commissioners for the purposes therein specified, be, and the same is hereby, repealed; and the County Commissioners of Aiken County, and their successors, be, and they are hereby, appointed such Commissioners in the place and stead of the Commissioners designated and appointed in said Section 3, with the same and like powers, duties and responsibilities.

County Commissioners o f  
Aiken s u b -  
stituted for the  
Commissioners  
relieved in  
above recited  
Act.

SEC. 2. That the said Commissioners designated and appointed in said Section 3 be, and they are hereby, required, within ten days after the passage of this Act, to turn over and deliver to the County Commissioners of Aiken County all books, papers, records, documents and memoranda in their possession.

Commission-  
er to turn over  
certain books  
and papers.

SEC. 3. That to carry out the provisions of said Section 3 of the Act aforesaid, a special tax of one mill and a half upon the assessed value of the real and personal property of Aiken County be levied, to be collected with the next general State and County taxes.

Tax of one  
and one-half  
mills levied.

SEC. 4. That the said County Commissioners, in anticipation of the collection of said special tax, be empowered to contract debts and incur liabilities to the extent of four thousand five hundred dollars in building a jail, making necessary alterations and repairs of the Court House, and meeting outstanding obligations heretofore incurred in carrying out the purposes mentioned in said Section 3.

County Com-  
missioners em-  
powered to  
contract cer-  
tain debts.

Approved January 13, 1875.

**AN ACT TO PROVIDE FOR THE ADJUSTMENT AND SETTLEMENT OF THE DEBT OF BARNWELL COUNTY.**

No. 651.

Whereas, by virtue of an Act to raise supplies for the fiscal year commencing November first, 1874, an additional tax of one and one-half mills was levied upon every dollar of the value of all tax-

Preamble.

A. D. 1875.

able property in the County of Barnwell, which should be applied to the payment of the past indebtedness of said County *pro rata*; and whereas it is represented that said tax, so levied, will pay *pro rata* only a small proportion of its *bona fide* debt; therefore,

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

County Treasurer to report amount of money realized.  
General Assembly, and by the authority of the same, That it shall be the duty of the County Treasurer of Barnwell County to report without delay the amount of moneys realized from the levy

of the additional tax of one and one-half mills to the County Commissioners of Barnwell County, and whenever one thousand dollars of this tax is reported in the Treasury the County Commissioners

County Commissioners to advertise for bids.  
shall advertise for fifteen days for sealed bids from parties holding checks or audited claims contracted prior to the twentieth day of October, 1874.

Said bids shall be opened at a regular meeting of the Board, and they shall draw orders on the Treasurer for parties who will offer the largest per centum discount on the checks or audited claims.

Record of bids to be kept.  
**SEC. 2.** That it shall be the duty of the County Commissioners to keep a record of the sealed bids and the checks and audited claims contained therein, mentioned in Section 1 of this Act, and as soon as said sealed bids shall be opened they shall be immediately entered in said record, which shall be opened for public inspection.

Holders of claims to file list of the same.  
**SEC. 3.** That all persons holding claims against the County of Barnwell are hereby required to file a list of such claims, with the amount, date and particulars thereof, in the office of the County Commissioners.

**SEC. 4.** All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved January 16, 1875.

No. 652. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF BARNWELL.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor do appoint, by and with the advice and consent of the Senate, five Trial Justices for the County of Barnwell, and no more, to hold their offices for the term of two years, unless sooner removed by the Governor.

Trial Justices number and term of office.

SEC. 2. That the Trial Justices so appointed shall be commissioned by the Governor in the following manner, to wit: One for the villages of Blackville and Williston; one for the villages of Bamberg, Midway and Graham's Turn Out; one for the village of Barnwell; one for the township of Allendale; one for the township of Four Miles; and shall keep their offices at the respective places for which they are commissioned, which shall be open from day to day for the transaction of business.

SEC. 3. That instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings, and heretofore payable to them by the County, each of said Trial Justices shall be allowed a salary of three hundred dollars per annum, payable quarterly, on the first of January, April, July and October by the County Treasurer of such County, out of County funds, and no account or claim other than for such salary shall be preferred by, allowed or paid to any Trial Justice of said County by the said County on account of criminal proceedings: *Provided*, That the Trial Justices commissioned for the villages of Bamberg, Midway and Graham's Turn Out shall receive an annual salary of six hundred dollars; and that the Trial Justice so commissioned for Blackville and Williston shall receive the sum of four hundred dollars per annum.

SEC. 4. That the said Trial Justices for Barnwell County are hereby required, on the first of each and every month, to file with the Clerk of the Circuit Court of said County a report, duly verified, of all the fees and costs charged, and fines imposed, in criminal cases and proceedings had before them, and immediately upon the filing of such report the said Trial Justices shall pay over to the County Treasurer of said County the amount of such fees, costs and fines by them severally collected and recovered.

SEC. 5. That all the appointments of Trial Justices for the County of Barnwell heretofore made shall cease and determine on and after the passage of this Act, and the Trial Justices provided for in this Act shall enter upon their duties immediately after their qualification.

SEC. 6. That the Trial Justices appointed for Barnwell County may each appoint one Constable, and no more, to serve the processes of their respective Courts, removable at pleasure: *Provided*, That the Trial Justices commissioned for Bamberg, Midway, Graham's Turn Out, Blackville and Williston, may each appoint, if they deem it necessary, two Constables. The Constables so appointed shall each receive a salary of two hundred dollars per annum, to be paid at the times and in the manner provided by Section three of this Act.

A. D. 1875.  
Where to be located.

Salary,  
amount and  
when payable.

To file  
monthly re-  
ports with  
Clerk of Court.

To pay over  
fees, &c., to  
County Treas-  
urer.

Appointments  
heretofore  
made, when to  
cease.

Constables,  
number and  
salary.

A. D. 1875.

Penalty for  
neglect of duty.  
&c.

SEC. 7. That if either of the Trial Justices appointed for the County of Barnwell shall neglect to attend to the duties of their office, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the fees and fines collected by him in his office, he shall be liable to indictment therefor, and, on conviction, shall be liable to imprisonment for two years, or a fine of five hundred dollars, or both, within the discretion of the Court, and shall be removed from office.

County Treas-  
surer to set  
aside salaries of  
Trial Justices  
and Constables.

SEC. 8. That the County Treasurer of Barnwell County be, and he is hereby, instructed to set aside, annually, out of the County fund, a sum sufficient to pay the salaries of the officers herein provided for, and failure on the part of the said Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty for which shall be fine or imprisonment, as may be deemed best, in the judgment of the Court.

Bond, amount  
and by whom  
approved.

SEC. 9. The Trial Justices and Constables so appointed shall each give a bond of five hundred dollars for the faithful performance of their duties. The bond to be approved by the Judge of the Second Circuit.

Report to be  
read in open  
Court.

SEC. 10. That the reports required to be made by Section four of this Act shall be read in open Court on the first day of the term of the Court of General Sessions after the appointments herein authorized, and on the first day of each term thereafter.

SEC. 11. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved January 16, 1875.

No. 653. AN ACT TO CHANGE THE NAME OF R. W. BROWN TO R. W. WEBB.

R. W. Brown,  
name changed  
to Webb.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of R. W. Brown, of Colleton County, is hereby changed, and he shall hereafter be known as R. W. Webb.

Approved January 21, 1875.

**AN ACT TO AMEND AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WILLIAMSBURG COUNTY TO LEVY A SPECIAL TAX,**  
**APPROVED MARCH 3, 1874.**

A. D. 1875.  
 No. 654.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act authorizing the County Commissioners of Williamsburg County to levy a special tax, approved March 3, 1874, be amended as hereinafter provided : Strike out Section 3, and substitute therefor the following : "That it is hereby made the duty of the Treasurer, out of the funds so collected under this Act, to retain the same in the County Treasury until the tax book shall be closed, as now required by law, and then, after ascertaining the amount so collected, give public notice thereof by advertising, in one or more County newspapers, once a week for three successive weeks, declaring a *pro rata* rate of distribution on the amount of accounts registered in his office under the provisions of said Act; and shall forthwith, on presentation of said checks, orders, bills or accounts so registered, pay to the holders thereof their *pro rata* share of the amount so collected, endorsing the amount paid on the claim presented, and taking claimant's receipt for such payment, and such receipt shall be held a legal voucher in his settlement and accounting for the proceeds of said special tax.

Proceeds of  
special tax to  
be distributed  
*pro rata.*

Approved January 21, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE RELIEF OF THE WIDOWS AND ORPHANS OF PERSONS KILLED BECAUSE OF THEIR POLITICAL OPINIONS."** No. 655.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act for the relief of the widows and orphans of persons killed because of their political opinions," be amended by inserting after the words "United States," on sixth line of said Section, the words "except the County of Fairfield."

Fairfield  
County exempt  
from certain  
tax.

Approved January 28, 1875.

A. D. 1875.

No. 656.

**AN ACT TO INCORPORATE THE TOWN OF GEORGE'S STATION,  
COLLETON COUNTY, SOUTH CAROLINA.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Incorporated town of George's Station, in Colleton County, South Carolina, be, and the same is hereby, incorporated, and that all the rights, powers &c., conferred on town of Branchville, in this State, are hereby conferred on and vested in the Intendant and Wardens of the town of George's Station.

**Officers, when to be elected.** SEC. 2. That the officers of the town shall consist of one Intendant and four Wardens, who shall be elected annually on the first Monday in February.

**Corporate limits.** SEC. 3. That the limits of said town shall extend one-half mile each way from the intersection of Main and Society streets.

SEC. 4. This Act shall take effect immediately after its passage, and shall continue in force for the term of fourteen years.

Approved January 28, 1875.

---

**No. 657. AN ACT PROVIDING FOR THE SPECIFIC APPROPRIATION OF REVENUE DERIVED FROM LIQUOR LICENSES.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all revenues derived from the issuing of retail liquor and tavern licenses, as provided for in Sections 4 and 5 of an Act to regulate the sale of intoxicating liquors, and to alter and amend the law in relation thereto, approved March 19, 1874, be, and the same are hereby, made a specific fund, to be set apart and used only for the support of the paupers and poor farms in each of the Counties of the State. And if, in any County in this State, the amount raised from license shall exceed the amount necessary to support the poor in the said County, the surplus shall be devoted by the County Commissioners to any claim against the County accruing in the fiscal year in which the money was raised.

**Treasurers to hold revenues subject to County Commissioners' order.** SEC. 2. That it shall be, and is hereby made, the duty of the County Treasurers to report, as now provided by law, to the Board of County Commissioners, all funds arising out of said revenues in their hands, and to hold the same subject to the order of the County

Commissioners for the uses and purposes mentioned in Section 1 of A. D. 1875.  
this Act.

SEC. 3. That the fund so received under the provisions of this  
Act shall only be used and expended to and for the use and benefit  
of the paupers and poor farms of the several Counties, as pro-  
vided by Section 1. And for any violation of the terms of this  
Act the officer entrusted with the disbursement of this fund shall  
be deemed guilty of malfeasance in office, and, upon conviction  
thereof, shall be fined not exceeding one thousand dollars, or im-  
prisonment not exceeding one year, in the discretion of the Court.

Approved January 30, 1875.

Said fund  
only for use of  
paupers and  
poor farms.

Penalty for  
diversion.

**AN ACT TO AUTHORIZE AND PERMIT HENRY N. WHITE TO ERECT NO. 658.  
AND KEEP A GATE ACROSS SHALLOW FORD ROAD, WEST OF  
SENECA RIVER, IN ANDERSON COUNTY.**

*Be it enacted* by the Senate and House of Representatives of the  
State of South Carolina, now met and sitting in General Assembly,  
and by the authority of the same, That Henry N. White be, and he  
is hereby, authorized and permitted to erect and keep a gate across  
Shallow Ford Road, west of Seneca River, in Anderson County, at  
any point where he owns land bounding on the same.

Henry N.  
White to erect  
a gate across a  
certain road.

Approved February 4, 1875.

**AN ACT TO INCORPORATE THE HIBERNIA MUTUAL INSURANCE NO. 659.  
COMPANY, OF CHARLESTON.**

SECTION 1. *Be it enacted* by the Senate and House of Repre-  
sentatives of the State of South Carolina, now met and sitting in  
General Assembly, and by the authority of the same, That the  
persons who shall become members in the manner hereinafter pre-  
scribed shall thereupon become, and they and their successors shall  
be, a body politic and corporate, under the name, style and title of  
the Hibernia Mutual Insurance Company, of Charleston.

Corporate  
name.

SEC. 2. That every person insured in this company shall be  
deemed a member thereof, and shall continue a member thereof  
during the continuance of such insurance.

Insured per-  
sons to be  
deemed mem-  
bers.

SEC. 3. That as soon as one hundred and fifty persons shall sub-  
scribe their names to an agreement to become insured by the said When to go  
company, the same shall go into operation; but if at any time into operation.

A. D. 1875.

thereafter the members amount to less than one hundred and fifty, the said company shall immediately cease and determine.

Powers and  
privileges.

SEC. 4. That the said company, under its name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation; and shall be capable of taking, holding and disposing of their capital stock according to such rules, regulations and institutions as they may, from time to time, establish; and also of taking, holding and disposing of, or investing, as the said corporation shall from time to time judge fit, the increase, profit or emoluments of their said capital stock to their own use, and shall have full power and authority to make, have and use a common seal, and with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and by the name, title and style aforesaid shall be able and capable, at law or in equity, to sue and be sued, implead and be impleaded, answer and be answered unto, in all or any of the Courts or tribunals of this State, in all manner of suits, pleas and demands whatever; and they are hereby authorized and empowered to appoint a Board of Directory, to consist of a President, a Secretary and Treasurer, and six Directors, at such periods and with such duties as they shall see fit; and also to make rules, by-laws and ordinances, and do everything needful for the government and support of the affairs of the said corporation, and for restoring their capital when diminished by losses: *Provided, always,* That the said rules, by-laws and ordinances shall not be repugnant to the Constitution and laws of the United States or of this State.

Proviso.

May acquire  
and dispose of  
real estate.

SEC. 5. That the said corporation shall have a right and power to purchase, acquire, take and hold, in the said corporate name, lands and real estate to any amount not exceeding eight hundred thousand dollars, and the same to devise, grant, sell, lease, assign and convey in fee simple or otherwise.

Further pow-  
ers.

SEC. 6. That the said corporation shall, by their said name and by the signature of their President, for the time being, or by the signature of such other person or persons, and with such ceremonies of authenticity as they shall from time to time and by their rules and by-laws ordain and appoint, have a right to make contracts and underwrite policies of insurance and indemnity upon marine risks, whether of vessels or goods and merchandise, in whole or in part, foreign and domestic, whether lying in foreign ports or shipped upon the high seas, or in any ports of the United States, or within any of the rivers, bays, creeks, canals or waters of this State, lying or being laden; and also in like manner to make

A. D. 1875.

contracts and underwrite policies of insurance and indemnity against fire on all buildings, goods, wares, merchandise, and other property liable to destruction or accident by or from fire, or the effects thereof, situate, lying, being or deposited in this State, or elsewhere; to lend or advance money upon bottomry or *respondentia*; to make insurnace upon lives; to grant and purchase annuities; to lend money on the security of real and personal property, or either, or on bonds, bills or promissory notes; to make any other contingent contracts involving the duration of life, and generally to transact and perform all the business relating to the objects aforesaid, according to the usage and custom of merchants, and by such contracts effectually to bind and pledge their said members, each according to his rate of insurance and amount insured, according to their rules and regulations established and subscribed.

SEC. 7. That in case any accident occurs, and the damage has been ascertained, it shall and may be lawful to and for the said Board of Directors, if they shall deem the same necessary, to assess all the members according to the amount and rates of their insurance. One month's notice shall be publicly given, in some newspaper published within the State, of the said assessment, within which period the same shall be paid to the Treasurer; and if the assessment of any member be not paid within the period fixed as aforesaid, the said company may recover from such defaulting member the amount of his or her assessment, with interest thereon from the date of such assessment.

SEC. 8. That in all elections in the said company each member thereof shall be entitled to one vote, and all elections shall be conducted by ballot.

SEC. 9. That this Act shall be deemed a public Act, and be in force for twenty-one years.

Assessment  
of members.

Elections.

Approved February 6, 1875.

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**AN ACT TO INCORPORATE THE TOWN OF JOHNSON'S TURN OUT, No. 660.  
IN THE COUNTY OF EDGEFIELD.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided thirty days in the town of Johnson's Turn Out shall be .

A. D. 1875.      Corporate limits.      deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Johnson's Turn Out, and its corporate limits shall extend one-half mile from the depot of the Charlotte, Columbia and Augusta Railroad Company, in a direction due north, south, east and west, and shall include a square formed upon the extremities of lines so drawn.

Officers.      SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of said town on the third Monday of April, ten days' public notice thereof being previously given; and that all male inhabitants

Time of holding election.      of the age of twenty-one years, citizens of this State, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Edgefield County

Qualifications of voters.      shall designate three suitable persons, citizens of said town, to act as Managers of Election; and that the Intendant and Wardens, for the time being, shall annually appoint Managers to conduct each ensuing election.

Managers of Election.      SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provision of the charter granted to the town of Edgefield, under an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned," approved February 26, 1870.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved February 6, 1875.

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No. 661. AN ACT TO SET APART \$4,000 OF THE SPECIAL TAX OF THREE MILLS LEVIED IN ABBEVILLE COUNTY UNDER AN ACT OF THE GENERAL ASSEMBLY, APPROVED MARCH 14, 1874.

Invested with powers, &c., conferred on town of Edgefield.      *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That four thousand dollars of the special tax of three mills levied for Abbeville County, by an Act of the General Assembly, approved 14th March, 1874, be, and the same is hereby, set apart for the payment of the unpaid current expenses of said County for the fiscal year ending 31st of October,

Four thousand dollars set apart for payment of unpaid current expenses.

A. D. 1874; and it is hereby made the duty of the Treasurer of Abbeville County to keep the said tax of four thousand dollars, hereby set apart, separate and apart from all other taxes, and to pay the same out on the order of the County Commissioners of said County.

A. D. 1875.  
How to be paid out.

Approved February 6, 1875.

**AN ACT TO RENEW AND AMEND THE CHARTER OF THE TABLE NO. 662.  
MOUNTAIN TURNPIKE COMPANY.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Table Mountain Turnpike Company be, and the same is hereby, renewed, and is hereby vested in James A. Bates and J. K. Sutherland, and their successors and assigns. And that the said James A. Bates and J. K. Sutherland, and their successors or assigns, shall be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Table Mountain Turnpike Company;" and they shall have, exercise and enjoy all the exclusive rights, privileges and immunities that have heretofore been extended and allowed to John Bowen, under Section 7 of an Act of the General Assembly of the State of South Carolina entitled "An Act to establish certain roads, bridges and ferries," ratified on the 20th day of December, 1856.

Charter re-newed.

In whom vested.

Powers and privileges.

SEC. 2. This Act shall be deemed a public Act, and shall continue in force for the term of twenty-one years.

Approved February 8, 1875.

**AN ACT TO INCORPORATE THE TOWN OF PORT HARRELSON, IN NO. 663.  
HORRY COUNTY.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the State of South Carolina, who are now, or who may hereafter become, inhabitants of the town of Port Harrelson, shall be deemed, and are hereby declared, a body politic and corporate, and that said town shall be called and known by the name of "Port

Corporators.

A. D. 1875.

Corporate  
name.

Corporate  
limits.

Officers.

Election.

Oath of office.

Vacancies.

Judicial pow-  
ers.

Harrelson," and its corporate limits shall include the place now known as "Bull Creek," and shall extend along the waters of Bull Creek, from Hell Gate, for the distance of two miles down the stream; that the northwestern boundary be a line one mile up Cowford Creek, measured from its junction with Bull Creek, then a line one mile parallel with Bull Creek, then taking the stream to Hell Gate.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday of January every year, and to hold office until their successors are elected and duly qualified; that the said Intendant and Wardens shall be citizens of the State of South Carolina, and shall have been resident in said town for sixty days immediately preceding said election; that such election shall be held at such places in said town as the Intendant and Wardens shall designate by publication ten days before any such election; that all male inhabitants of the said town of the age of twenty-one years, who shall be citizens of the State of South Carolina, and shall have resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens; that the said election shall be held from nine in the morning till three o'clock in the afternoon, when the polls shall be closed, and the Managers shall count the votes and proclaim the election, and give notice thereof, in writing, to the parties elected; that the Intendant and Wardens for the time being shall appoint the Managers to hold the ensuing election; and that the said Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of Port Harrelson, I will, equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."

SEC. 3. That in case a vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held by the appointment of the Intendant or Wardens, as the case may be, ten days' notice thereof as aforesaid being given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

SEC. 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively,

be vested with all the powers of other incorporated towns of this State in matters civil and criminal within the limits of said town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Port Harrelson; and they, and their successors in office, shall have a common seal, and shall have power to sue and be sued in any Court of this State, and shall have power and authority to appoint, from time to time, such and so many persons to act as Marshals, who shall be clothed with all the powers, and shall be allowed all the privileges and emoluments of, and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable, as they may deem expedient.

A. D. 1875.

Marshals.

SEC. 5. That the Intendant and Wardens, in Council, shall have power and authority to ordain and establish all such rules and by-laws and ordinances, respecting the streets, ways, public wells and springs of water, markets and police of the town, and for preserving health, peace, order and good government within the same, as they may deem proper; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation, but no fine shall exceed fifty dollars; all fines may be recovered by an action for debt before a proper tribunal: *Provided*, That the penalty for retailing liquors without license shall not be a greater sum than the sum provided by law as penalty for such offense.

General pow-  
ers.

Fines.

SEC. 6. That the said Council shall have power to abate nuisances, and to classify and arrange the inhabitants liable to police duty and road duty, and require them to perform such duty as occasion may require, and to enforce the performance thereof under the same penalties as are now, or may hereafter be established by law: *Provided, always, nevertheless*, That the said Town Council shall have power to compound with persons liable to such duties upon such terms as they shall, by ordinance, establish.

Abatement  
of nuisances.

SEC. 7. That it shall be the duty of the Intendant and Wardens to keep all streets and ways which may be necessary for public use within the limits of the said town, open and in good repair; and for that purpose they are hereby invested with all the powers, rights and privileges, and shall be liable to the pains and penalties imposed by law upon Commissioners of Roads. And the inhabitants of said town are hereby excused from road and police duty without the limits of the corporation.

Road and  
street duty.

SEC. 8. That the Intendant and Wardens of the said town shall have power and authority to require all persons owning a lot or

Sidewalks.

A. D. 1875.

lots in the said town of Port Harrelson to keep in repair the sidewalks adjacent to their lots respectively, and for default in this matter, shall have power and authority to impose a fine not to exceed ten dollars.

Licenses. SEC. 9. That the said Intendant and Wardens shall have full power to grant or refuse licenses to any person, firm, company or corporation, to conduct any business, trade or profession whatsoever, within the limits of the said town, upon such conditions and under such circumstances as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern, billiard room, or to retail spirituous liquors, be fixed at a less sum than is established by the laws of this State: *Provided*, That the Intendant and Wardens shall not have power to grant any license to extend beyond the term for which they have been elected.

Disposition of fines. SEC. 10. That the amount collected for fines and licenses shall be used for public uses of said town; and the said Town Council of Port Harrelson shall also have power to impose an annual tax on all the real and personal property within the corporate limits of said town, to be collected by the said Town Council under such regulations as they may ordain: *Provided*, Said tax does not exceed the sum of twenty-five cents on the one hundred dollars.

Taxation. SEC. 11. That the said Town Council of Port Harrelson shall also be empowered to retain, possess and enjoy all such property as they may become possessed of by purchase, bequests, or in any other manner.

Time of first election. SEC. 12. The first election held under this Act shall be held on the first Monday in April, 1875, and the officers elected thereat shall hold their offices until the second Monday in January, 1876, or until their successors are duly elected and qualified. The said

Election, by whom called. first election shall be called by the Commissioners of Election of Horry County, which said Commissioners shall appoint Managers to conduct the same, who shall make returns thereof to the said Commissioners, the same as of other elections held in said County; and the said Commissioners shall declare the election and notify the persons elected Intendant and Wardens of said town.

Approved February 8, 1875.

**AN ACT TO ALTER AND AMEND THE CHARTER OF THE UNION  
SAVINGS BANK, OF COLUMBIA, SOUTH CAROLINA.**

A. D. 1875.

No. 664.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one (1) of the Act entitled "An Act to charter the Union Savings Bank, of Columbia, South Carolina," approved March 13, 1872, be, and the same is hereby, amended by striking out the word "Savings," <sup>Name changed to</sup> Union Bank. in the ninth line thereof, as printed, so that the name and style of the said corporation shall hereafter be "The Union Bank, of Columbia, South Carolina."

SEC. 2. That Section seven (7) of said Act be, and is hereby, repealed, and the following substituted therefor: "Section 7. At the close of each fiscal year scrip may be issued for as many shares, of one hundred dollars each, as the whole amount paid and the accrued profits will make; and any fractional amount shall remain to the credit of the stockholders, to be increased by the monthly payments and profits." <sup>When and how scrip may be issued.</sup>

SEC. 3. That Section eight (8) of same Act be, and the same is hereby, repealed, and the following substituted therefor: "Section 8. The stock for which scrip has been issued shall be entitled to receive in dividends, semi-annually, the *pro rata* proportion of such profits as may be made, or the same shall be placed to the credit of the stockholder, on account of his monthly payments, until scrip has been issued for the whole number of shares originally subscribed, and then the monthly payments shall cease, and dividends shall be paid at such times, and of so much of the profits as the Directors may deem advisable for the interest of the bank." <sup>Dividends, when and how made.</sup> <sup>When monthly payments to cease.</sup>

SEC. 4. That Section nine (9) of said Act be, and the same is hereby, repealed, and the following substituted therefor: "Section 9. The said bank may, at any time, issue stock, paid up in full, to any person applying for the same, at not less than its par value in money; and it may, also, receive subscriptions to stock, to be paid up in monthly instalments, on such terms as will place the new subscriber on an equality with the original stockholders." <sup>May issue paid up stock and receive subscriptions.</sup>

SEC. 5. That Section ten (10) of the said Act be so amended in the third line of said tenth Section, as printed, after the word "thereafter," by inserting the words "not less than;" and after the word "seven," in the third line of the said tenth Section of the said Act, as printed, by inserting the words "nor more than thirteen," so as to read "not less than seven nor more than thirteen Directors." <sup>Number of Directors.</sup>

A. D. 1875.

SEC. 6. That this Act shall be in force from its passage, and continue in force for the time fixed by the Act to which this is an amendment.

Approved February 8, 1875.

**NO. 665. AN ACT TO INCORPORATE THE WINNSBORO BUILDING AND LOAN ASSOCIATION.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George H. McMaster, James Beaty, Samuel B. Clowney, T. Ross Robertson, Mac C. Robertson, together with such persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same, to their members and stockholders, by the name and style of the "Winnsboro Building and Loan Association." The capital stock of said association may consist of one thousand shares, but as soon as two hundred shares are subscribed thereto the said association may organize and commence operations, said shares to be paid by successive monthly instalments of one dollar on each share, so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures, for default in their payments, as the regulations and by-laws of the said association may prescribe.

**SEC. 2.** That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made or to be made by them for their government; and shall have power and authority, from time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded in any Court of this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

**SEC. 3.** That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws

May acquire  
and convey  
real estate.

of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

A.D. 1875.

SEC. 4. That the funds of the said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations as may from time to time be prescribed by the rules and by-laws of the said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged and conveyed to them in good faith, by way of security, upon its loans and advances, and may sell, alien, or otherwise dispose of the same, as they may from time to time deem expedient.

Investment of funds.

SEC. 5. That whenever it shall occur that the funds of the corporation shall remain unproductive and uncalled for, the corporation shall have power to lend whatever amount may be thus on hand to others than stockholders and members, for such time, and at such rates of interest, and on such securities as may be established by virtue of such rules and by-laws as may be made by such corporation.

When may loan out money

SEC. 6. The said corporation shall have the right, out of its profits, to declare and pay semi-annual dividends on stock held therein, whether paid up in whole or in part, according to such proportions as its rules may establish, but no dividends shall ever be paid so as to diminish the capital stock.

Dividends.

SEC. 7. That whenever the funds and assets of the said corporation shall have accumulated to such an amount that, upon a fair division thereof, each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property and assets, the said corporation shall then cease and determine: *Provided, however*, That in case the said corporation shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.

Division and distribution of assets.

SEC. 8. This Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved February 19, 1875.

A. D. 1875. AN ACT TO INCORPORATE THE HIBERNIA SAVINGS BANK, OF  
No. 666. CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Moran, Bernard O'Neill, James Cosgrove, M. P. O'Connor, John F. O'Neill, Philip Fogarty, Edward Daly, George S. Addison, C. R. Cassidy, William Byrnes, D. A. J. Sullivan, James Armstrong, Thomas S. O'Brien, Michael McGorty, P. Brady, B. Callahan, R. Martin, John Burke, Henry F. Baker, John Kenny, M. Storen, William Maher, Alexander McLoy, James F. Redding, John H. Devereux, T. L. Quackenbush, Thomas C. Ryan, E. F. Sweegan, James Cantwell, James J. Grace, Henry J. Laurey, Gustavus Follin, P. Walsh, James F. Greene and James Kieley, be, and they are hereby, created a corporation, by the name and title of the Hibernia Savings Bank; and that they, and such others as shall be duly elected members of said corporation, as in this Act provided, shall be a body politic and corporate, by the same name and title.

Corporate name. SEC. 2. That the said corporation shall be capable of receiving on deposit, from any person or persons disposed to obtain and enjoy its advantages, all sums of money that may be offered for that purpose; and on receipt of any deposit, it shall deliver to the depositor a book, in which shall be entered all sums deposited.

Deposits. SEC. 3. That all deposits of money received by said corporation may be invested in any public stock or bonds, created by virtue of any law of this State, or any Ordinance of the City of Charleston, or in the capital stock of any bank within this State, or in United States bonds or stocks, or bonds or stocks of any city or State in the United States, or in the stocks or bonds of any railroad company incorporated in this or any other State, or loaned on promissory notes secured by pledge of such stocks, at not more than seventy-five per centum of their par value, or on bonds secured by mortgage of real estate, lying and being within the city and County of Charleston; and the income and profit thereof shall be applied and divided among the persons making the said deposits, or their legal representatives, after making such reasonable deductions as may be necessary for expenses, in proportion to the sums by them deposited, and to the length of time during which such deposits may have remained in the bank, and the principal of such deposits shall be repaid to each depositor at such time and under such regulations as the said corporation shall prescribe, the substance of which regulations shall be printed in the book of deposit received by each depositor: *Provided*, That the corporators in the said cor-

Division of profits.

poration shall be liable to the amount of their respective share or shares, deposit or deposits in said banking institution for all its debts and liabilities upon note, bill or otherwise: *And provided, further,* That no Director, or other officer of said corporation, shall borrow any money from said corporation; and if any Director, or other officer, shall be convicted, upon indictment, of directly or indirectly violating this Section, they shall be punished by fine or imprisonment at the discretion of the Court.

A. D. 1875.  
Liability of corporators.

No Director to borrow from Bank.

SEC. 4. That the said corporation shall have power to elect new members by ballot at their semi-annual meetings in January and July of each year, and any member, upon filing a written notice with the President thereof three months prior, may, at any such meeting of said corporation, withdraw and forever dissolve his connection with the same.

New members.

SEC. 5. That the said corporation may have a common seal, which they may change and renew at pleasure, and that all deeds, conveyances and grants, covenants and agreements made by their Treasurer, or any other person, by their authority and direction, according to their rules, shall be good and valid, and the corporation shall at all times have power to sue and be sued, and may defend and shall be held to answer by the name and title aforesaid, and may acquire, take, hold and convey such real estate as may be deemed desirable for its place of business, or necessary for it to purchase in foreclosing or settling such mortgages as it may hold as security for loans.

General powers.

SEC. 6. That the said corporation shall hereafter meet at Charleston, some time in the month of January, annually, and as much oftener as they may deem expedient, and any seven members of the said corporation, the President, Vice President, Secretary or Treasurer being one, shall be a quorum, and the said corporation, at their annual meetings in January, shall have power to elect a President, Vice-President, Secretary and Treasurer, and twenty Trustees, all of which said officers shall be sworn to the faithful performance of their duties, and shall hold their offices, and manage and direct the affairs of the said corporation until their successors shall be duly elected and qualified.

Annual meetings.

Election of officers.

SEC. 7. That the said corporation are hereby vested with the power of making by-laws and regulations for the more orderly managing the business of the corporation: *Provided,* The same are not repugnant to the Constitution and laws of this State.

Rules and regulations.

SEC. 8. That any two persons herein named may call the first meeting of the corporation by advertising it in any two of the daily papers published in the city of Charleston.

First meeting, how to be called.

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Treasurer to give bond. SEC. 9. That the Treasurer of said corporation shall give bond to the satisfaction of the Trustees for the faithful discharge of the duties of his office.

Annual statement, what to contain. SEC. 10. That the Treasurer of said corporation shall, as soon as may be after the annual meeting in January, publish in one or more of the daily papers of the city of Charleston a statement of the concerns of the said corporation, which statement shall specify the following particulars, namely: Number of depositors, total amount of deposits, amount invested in bank stock, amount invested in State or city stock, amount invested in United States bonds or stock, amount invested in railroad stocks or bonds, loans on mortgage of real estate, loans on notes secured by pledge of stock, amount of cash on hand, total dividends for the year, annual expenses of the corporation, all of which shall be certified and sworn to or affirmed by the Treasurer, and five or more of the Trustees of said corporation shall also certify that the same is correct, according to the best of their knowledge and belief.

SEC. 11. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved February 19, 1875.

No. 667. AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT FOR THE BETTER PROTECTION OF LAND OWNERS, AND PERSONS RENTING LAND TO OTHERS FOR AGRICULTURAL PURPOSES, AND TO AMEND ACTS RELATING THERETO."

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act for the better protection of land owners and persons renting land to others for agricultural purposes, and to amend Acts relating thereto," be, and the same is hereby, amended by striking "One-third" inserted in lieu of "one-fourth." out, on line seventeen of said Section, after the word "of," the words "one-fourth," and inserting in lieu thereof the words "one-third."

Approved February 19, 1875.

**AN ACT TO PROHIBIT A CIRCUS, OR ANY OTHER SHOW TRAVELING IN CONNECTION THEREWITH, FROM EXHIBITING FOR GAIN WITHIN ANY COUNTY IN THIS STATE, WITHOUT HAVING FIRST OBTAINED A LICENSE FROM THE CLERK OF THE COURT OF SAID COUNTY.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any circus or other show traveling in connection therewith, and exhibiting for gain, shall, before exhibiting in any County in this State, obtain a license from the Clerk of the Court of said County in which said circus or other show is intended to exhibit, and shall pay to the said Clerk, for said license, one hundred dollars for each and every day said circus or other show shall be exhibited; and said Clerk shall forthwith pay over to the County Treasurer of said County all moneys by him received on account of said license, to be applied to the use of said County.

SEC. 2. Any person or persons, company or companies violating this statute shall, upon conviction in any Court of competent jurisdiction, be fined in the sum of two hundred dollars and all costs, and be imprisoned in the jail of said County not less than one month, nor more than three months, in the discretion of the Court.

SEC. 3. Nothing herein contained shall be construed to prevent the municipal authorities of any incorporated city or town in this State from levying and collecting such fines or licenses as may be imposed by such municipal authorities.

Approved February 19, 1875.

A. D. 1875.  
No. 668.

Circus and  
traveling  
shows to take  
out license.

License fee.

Revenue from  
licenses to be  
used for County  
purposes.

Penalty for  
violating Sec-  
tion 1.

Municipal au-  
thorities may  
require license.

**AN ACT TO CONFIRM, ALTER AND MODIFY THE CHARTERS OF INCORPORATION OF "THE CAROLINA LUMBER MANUFACTURING COMPANY OF CHARLESTON, SOUTH CAROLINA," AND OF "THE TAYLOR IRON WORKS MANUFACTURING COMPANY OF CHARLESTON, SOUTH CAROLINA," ESTABLISHED UNDER THE ACT ENTITLED "AN ACT TO PROVIDE FOR GRANTING OF CERTAIN CHARTERS," APPROVED FEBRUARY THE 20TH, 1874.** No. 669.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charters of the said "The Carolina Lumber Manufacturing Company of Charleston, South Carolina," a corporation established

Charter con-  
firmed.

A. D. 1875.

under the Act entitled "An Act to provide for granting of certain charters," for the purpose of the manufacture of agricultural implements within this State, and of "The Taylor Iron Works Manufacturing Company of Charleston, South Carolina," a corporation established under the said Act, for the purpose of the manufacture of iron within this State, be, and the same are hereby, confirmed, with the amendments hereinafter provided and set forth.

Rights, &c.,  
thereby con-  
ferred, con-  
firmed.

SEC. 2. That the said corporations, respectively, shall have all the rights and privileges conferred upon them by their charters, issued to them as hereinbefore mentioned.

Liability of  
shareholders.

SEC. 3. That every shareholder of the said companies, respectively, shall be individually liable for the debts contracted by the company of which he or she is a member, during the time he or she shall be a stockholder in said company, to the extent of ten per cent. of the par value of his or her shares in the same: *Provided*, That no person holding such stock, as collateral security, shall be personally subject to any liability as stockholder of such company, but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder, accordingly: *And provided, further*, That no stockholder shall be personally liable for the payment of any debt contracted by the said company, of which he or she is a stockholder, which is not to be paid within one year from the time the debt is contracted, nor unless a suit for the collection of such debt shall be brought against the said company of which he or she is a stockholder, within one year after the debt shall become due, and no suit shall be brought against any stockholder who shall cease to be a stockholder in said company for any debt so contracted, unless the same shall be commenced within two years from the time he or she shall have ceased to be a stockholder in said company, nor until an execution against the said company shall have been returned unsatisfied, in whole or in part.

Entitled to  
benefits of cer-  
tain Act.

SEC. 4. That the objects, purposes, scope, intention and business of both the said companies being in accordance with the purpose, object, scope and intention of the Act entitled "An Act to aid and encourage manufactures," approved 20th December, 1873, and in acceptance by them, respectively, of the offer of the Legislature as contained in the said Act, the said corporations, respectively, be, and are hereby declared to be, and are entitled to the benefits, advantages and privileges of the said last mentioned Act.

Comptroller  
General to fix  
taxes and de-  
terminerebate.

SEC. 5. That whenever the said corporations, respectively, shall have prepared their tax returns for the present or any future year, showing all the taxable property of such corporations, respectively, and shall have exhibited the same to the Comptroller General of the State, and shall have furnished that officer with satisfactory

A. D. 1875.

proof or evidence that the property or capital for which the benefits of the said last mentioned Act are claimed has been actually employed, paid in, or invested in this State, it shall be the duty of the Comptroller General to, and he shall forthwith, fix and determine the amount of taxes to be paid on the said returns respectively, and endorse or set down the same on the respective returns, and shall also fix and determine the rebate or reduction to be made therefrom, according to the provisions of Section 1 of the said Act, and deduct the same from the said respective aggregate sums of said taxes, and set down the balances on the said returns respectively; and that such balances of State and County taxes, respectively, and no more, shall be paid by the respective corporations to the County Treasurer for the State and County taxes, at the time required by law; and such balances of municipal, or town or city taxes, and no more, shall be paid to the treasurer of the municipal corporation, or town or city, at the time or times required by the by-laws or ordinances of the said municipal corporation, town or city to which the said tax returns may be made.

What proportion  
of taxes,  
corporation to  
pay.

SEC. 6. That if either of the said corporations shall suspend their works for a continuous period of one year, at any time within the ten years mentioned in Section 5 of the said Act, the said corporation so suspending shall forfeit and pay the sum of two hundred dollars, for each and every such suspension, to be recovered in an action in the name of the State, and to be applied and used for school purposes exclusively.

Penalty for  
suspension.

SEC. 7. That this Act shall be deemed and taken as a public Act, and be taken notice of judicially, without being specially pleaded.

Approved February 23, 1875.

**AN ACT TO REVIVE AND RENEW THE CHARTER OF THE No. 670.  
CHARLESTON CHAMBER OF COMMERCE.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Charleston Chamber of Commerce be, and the same is hereby, revived and renewed, for the term of fourteen years, and that all acts of the Charleston Chamber of Commerce, done in its corporate capacity since the expiration of its former charter, be, and the same are hereby, confirmed and declared as good and valid as if the former charter had not expired.

Charter re-  
newed.

Acts previ-  
ously done,  
valid, etc.

Approved February 23, 1875.

A. D. 1875.

AN ACT TO CHANGE THE NAMES OF CERTAIN INDIVIDUALS  
HEREIN MENTIONED.

No. 671.

*F. A. Tucker  
et al., names  
changed to  
Priveat.* Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Franklin A. Tucker, Mary Jane D. Tucker, Elwell Tucker and Asa Wilson Tucker be changed to Franklin A. Priveat, Mary Jane D. Priveat, Elwell Priveat and Asa Wilson Priveat, and that they be declared the lawful heirs of Kinchen Priveat, of Chesterfield County, S. C.

Approved February 23, 1875.

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No. 672. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE SUMTER ACADEMICAL SOCIETY."

*Corporators  
may sell cer-  
tain lot.*

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to incorporate the Sumter Academical Society," approved March 13, 1872, be, and the same is hereby, amended so as to read as follows: "That the corporators of the said Sumter Academical Society, named in the first Section of this Act, be, and they are hereby, authorized and empowered, for the benefit of the society herein incorporated, and for no other purposes, to sell and convey in fee the lot of land which was conveyed by the late J. B. Miller to certain trustees for educational purposes, of whom F. J. Moses, Sr., is the survivor, if in their judgment the purposes of this Act can be more fully carried out by such sale."

Approved February 23, 1875.

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No. 673. AN ACT TO PROHIBIT THE RETAILING OF INTOXICATING LIQUORS WITHIN THREE MILES OF THE REIDVILLE HIGH SCHOOLS.

*No liquor to  
be sold within  
three miles of  
school.*

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the protection of the Reidville High Schools, in Spartanburg County, no person or persons shall be allowed to retail any intoxicating liquors within three miles of the said high schools; and every person and persons so retailing the same shall be, and they are hereby

made, subject to the pains and penalties now in force for selling the same without a license.

A. D. 1875.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and they are hereby, for the purposes of this Act, repealed.

Approved February 23, 1875.

**AN ACT TO MAKE THE COUNTY COMMISSIONERS OF SPARTANBURG, PICKENS, OCONEE AND BEAUFORT COUNTIES, COMMISSIONERS OF HEALTH AND DRAINAGE.** No. 674.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all of the provisions, requirements and power conferred by an Act entitled "An Act to constitute the County Commissioners of Anderson County, Commissioners of Health and Drainage, and to define their powers and duties therein," approved March 14, 1874, be, and the same is hereby, extended, in each and every particular, and made applicable to the Counties and County Commissioners of Spartanburg, Pickens, Ocnee and Beaufort, for the purposes in said Act designated: *Provided*, That in cases where the lands to be benefitted by the drainage therein mentioned are located in different Counties, the County Commissioners of such Counties shall act conjointly in carrying out the provisions of the said Act; and their actions shall be binding upon the inhabitants of each County in which said lands are situated.

Certain duties conferred upon County Commissioners of Anderson to apply to other Counties.

Approved February 23, 1875.

**AN ACT TO INCORPORATE THE TOWN OF RIDGEVILLE, IN THE COUNTY OF COLLETON.** No. 675.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gereral Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided thirty days in the town of Ridgeville shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Ridgeville, and its limits. *Corporate*

Corporators.

corporate limits shall extend one-half mile in every direction from the Depot of the South Carolina Railroad Company.

A. D. 1875.  
 Officers.

Election.

Electors.

Managers.

Invested with  
powers, &c.,  
conferred on  
town of  
Branchville.

**SEC. 2.** That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of said town, on the first Monday in March, 1875, and on the same day of each year thereafter, five days' public notice thereof being previously given, and that all male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Colleton County shall designate three suitable persons, citizens of said town, to act as Managers of Election, and that the Intendant and Wardens for the time being shall, annually, appoint Managers to conduct each ensuing election.

**SEC. 3.** That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted and now governing the town of Branchville.

**SEC. 4.** This Act shall be deemed a public Act, and continue in force until repealed.

Approved February 23, 1875.

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**No. 676. AN ACT TO CHANGE THE REGULAR DAY OF SHERIFF'S SALE IN BEAUFORT COUNTY.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the regular day of Sheriff's sale in and for the County of Beaufort shall be, and the same is hereby, changed from the first Monday to the first Tuesday in each month.

**SEC. 2.** All Acts or parts of Acts, Resolutions or parts of Resolutions, conflicting with the provisions of this Act, are hereby repealed.

Approved February 23, 1875.

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**No. 677. AN ACT To INCORPORATE THE TOWN OF LEESVILLE, IN THE COUNTY OF LEXINGTON.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and

A. D. 1875.

after the passage of this Act, all citizens of this State, who have resided thirty days in the town of Leesville, shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Leesville; and its corporate limits shall extend one-half mile from the depot of the Charlotte, Columbia and Augusta Railroad Company in a direction due north, south, east and west, and shall include a square formed upon the extremities of lines so drawn.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding the election, and who shall be elected by the qualified voters of the said town on the third Monday in April, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Lexington County shall designate three suitable persons, citizens of said town, to act as Managers of the election; and that the Intendant and Wardens for the time being shall annually appoint Managers to conduct each ensuing election.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Ninety-Six, by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved February 23, 1875.

Officers.

Time of holding election.

Clerk of Court to appoint Managers.

Invested with rights, conferred on town of Ninety-Six.

#### AN ACT TO INCORPORATE THE UNION TELEGRAPH COMPANY. NO. 678.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin F. Rawls, B. Dudley Culp, W. D. Humphries and William A. Nicholson, and all those who shall become stockholders in the company hereby incorporated, shall be a body politic and corporate, by the name of the Union Telegraph Company, and by that name shall have perpetual succession, and may have and use a com-

Corporators.

Corporate name.

A. D. 1875.

Route.

Capital stock.

Invested with  
rights, &c.,  
conferred on  
Continental  
Telegraph  
Company.

mon seal, and may sue or be sued in any Court of competent jurisdiction.

SEC. 2. Such corporation is authorized to construct lines of telegraph along, over, under and beside the Spartanburg and Union Railroad and any of the public roads and highways, and under and across any of the waters within the limits of this State, or so much or so many of the foregoing as may be deemed expedient, by establishing suitable offices and the erection of the necessary cords or wires and fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines between the termini of said railroad or any intermediate places.

SEC. 3. The capital stock of such corporation shall be twenty-eight hundred dollars, to be divided into one hundred and twelve shares of twenty-five dollars each. Books of subscription shall be opened to obtain the amount of stock above named by the persons named in the first Section of this Act, at Union Court House, at any time within one month after the approval of this Act.

SEC. 4. Such corporation shall have, possess and enjoy the same rights, powers and privileges as are, or were, held and enjoyed by the Continental Telegraph Company by and under an Act of the General Assembly of this State entitled "An Act to incorporate the Continental Telegraph Company," approved the seventh day of March, one thousand eight hundred and seventy-one.

Approved February 23, 1875.

**No. 679. AN ACT TO INCORPORATE THE UNION BUILDING AND LOAN ASSOCIATION, OF UNION.**

Corporators.

Objects of corporation.

Corporate name.

Capital stock.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That B. D. Culp, H. L. Goss, A. H. Foster, J. N. Moore, John Rodger, James B. Steadman, William Munro, S. M. Rice, James Grant, A. D. Spears, F. M. Farr, John L. Young and F. H. Counts, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the "Union Building and Loan Association."

SEC. 2. The capital stock of said association may consist of one thousand shares, but as soon as one hundred and fifty shares are

A. D. 1875.

subscribed thereto the said association may organize and commence operations; said shares to be paid by successive monthly instalments of one dollar on each share as long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments as the regulations and by-laws of the association may prescribe.

SEC. 3. That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made or to be made by them for their government, and shall have power and authority, from time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded in any Court in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies according to the laws of the land.

General powers.

SEC. 4. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

May hold and convey real estate.

SEC. 5. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders on such terms, and under such conditions, and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of the said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same as they may, from time to time, deem expedient.

Investment of funds.

SEC. 6. That whenever it shall occur that the funds of the corporation shall remain unproductive and uncalled for, the corporation shall have power to lend whatsoever amount may be thus on hand to others than stockholders and members for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation.

When may loan out money on hand.

SEC. 7. That said corporation shall have the right, out of its pro-

A. D. 1875.  
 Dividends.

fits, to declare and pay semi-annual dividends on stock held therein, whether paid up in whole or in part, according to such proportions as its rules may establish, but no dividends shall ever be paid so as to diminish the capital stock.

Division and distribution of assets.

SEC. 8. That whenever the funds and assets of the said corporation shall have accumulated to such an amount that upon a fair division thereof each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property and assets, the said corporation shall then cease and determine: *Provided, however,* That in case the said corporation shall not have closed its operations and affairs as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.

SEC. 9. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved February 23, 1875.

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No. 680. AN ACT TO ENABLE C. C. TRACY TO APPLY FOR ADMISSION TO THE BAR.

C. C. Tracy  
 enabled to practice law.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. C. Tracy, a minor, under the age of twenty-one years, be, and he is hereby, permitted to apply for admission to the bar forthwith upon the passage of this Act, and if found qualified, he shall be admitted to all the privileges granted by Section 2, page 502, of the Revised Statutes of South Carolina, to persons applying for permission to practice as attorney at law.

Approved February 23, 1875.

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No. 681. AN ACT TO EXTEND THE TIME FOR THE COUNTY SCHOOL COMMISSIONER OF CHARLESTON COUNTY TO QUALIFY.

Time for qualification extended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Charleston County, elected at the recent election, be, and he is hereby, allowed twenty days from the passage of this Act to qualify and enter upon the duties of his office, and on his failure to qualify within the time specified, the office shall be de-

clared vacant by the Governor, and he shall order a new election, as is prescribed by law.

SEC. 2. That on the demand of the said School Commissioner elect, he having qualified in pursuance with the provisions of Section 1 of this Act, the present incumbent shall turn over to him all books, papers and other matters pertaining to the office, and on his failure to do so, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, he shall be fined in a sum not exceeding one thousand dollars, or imprisoned not exceeding one year in the Penitentiary, or both, at the discretion of the Court.

SEC. 3. That this Act shall take effect immediately after its passage.

Approved February 23, 1875.

A. D. 1875.

Late Commissioner to  
turn over  
books and  
papers.

**AN ACT TO RE-CHARTER THE BOARD OF DIRECTORS OF THE THEOLOGICAL SEMINARY OF THE SYNOD OF SOUTH CAROLINA AND GEORGIA.** No. 682.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter heretofore granted to the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia be, and the same is hereby, renewed and extended for twenty-one years from the ratification of this Act, with all the powers, privileges and conditions heretofore, by the Act of incorporation, conferred upon the said body corporate, with ability, power and capacity to receive, hold and enjoy property, real and personal, to the amount of three hundred thousand dollars.

Charter re-newed and ex-tended.

Powers and  
privileges.

SEC. 2. That this Act is hereby declared to be a public Act.

Approved February 23, 1875.

**AN ACT TO REGULATE THE PRACTICE OF DENTISTRY AND PROTECT THE PEOPLE AGAINST EMPIRICISM IN RELATION THERETO, IN THE STATE OF SOUTH CAROLINA.** No. 683.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall be unlawful for any person or persons to engage in the practice of dentistry in the State

Qualification  
necessary to  
practice.

A. D. 1875. of South Carolina, unless said person or persons shall have received a diploma from the faculty of some dental college, duly incorporated under the laws of this or some other State of the United States, or foreign Government, in which is annually delivered, in good faith, a full course of lectures and instructions in dentistry, or shall have obtained a license from a Board of Dentists, duly authorized and appointed by this Act to issue such license.

SEC. 2. It shall be the duty of the South Carolina State Dental Association, at the next annual meeting thereof after the passage of this Act, to elect a Board of Examiners, to consist of five members, Board of Examiners.

to be known by the title of the Board of Dental Examiners in the State of South Carolina. The members of this Board shall, at the Term of office. first election, be elected for terms of one, two, three, four and five years, respectively, or until their successors shall have been elected. And it shall be the duty of the South Carolina State Dental Association, at each subsequent annual meeting thereof, to elect a person for the term of five years to fill the place of the member of the Board whose term of office shall at that time expire, and also to fill such vacancies in the Board as may have occurred during the year.

And if at any regular meeting of the Board, any member or members shall fail to be present, the South Carolina State Dental Association may, at its discretion, declare the office of such absentee to be vacated, and may proceed to elect a new member or members for the unexpired term of such person or persons, or it may elect a member or members to fill, temporarily, the place or places of such absentees.

Organization of Board. This Board shall be organized by the election of a President and a Secretary.

Meetings. SEC. 3. It shall be the duty of the Board of Examiners to meet annually at the time and place of meeting of the South Carolina State Dental Association, giving thirty days' notice in the public newspapers published in not less than three different places in the

Duties. State, viz: one in Charleston, one in Columbia, and one in Greenville, of such annual meeting. Secondly, to prescribe a course of reading for those who study dentistry under private instructions. Thirdly, to grant a license to any applicant who shall furnish satisfactory evidence of having graduated, and received a diploma from any incorporated dental college in good standing with the profession, without fee, charge or examination. Fourthly, to grant licenses to all other applicants who undergo a satisfactory examination. Fifthly, to keep a book in which shall be registered all persons licensed to practice dentistry in the State of South Carolina. The expenses of said license shall be fifteen dollars, to be paid by the licensee. And that all persons who do now hold, or may hereafter hold, a license to practice dentistry in this State shall become a

member of the South Carolina State Dental Association immediately upon the obtaining of said license: *Provided*, He shall be allowed to waive his right of membership.

A. D. 1875.  
Proviso.

SEC. 4. That the books so kept shall be a book of record, and a transcript from it, certified by the officer who has it in keeping, with the common seal, shall be evidence in any Court of the State.

SEC. 5. That three members of said Board shall constitute a quorum for the transaction of business, and should a quorum not be present on the day appointed for their meeting, those present may adjourn from day to day until a quorum is present.

Quorum.

SEC. 6. That one member of said Board may grant a license to an applicant to practice until the next regular meeting of the Board, when he shall report the fact, at which time the temporary license shall expire; but such temporary license shall not be granted by a member of the Board after the Board has rejected the applicant.

License to practice.

SEC. 7. That every dentist in this State be required to keep a record of all cases treated in his practice, in accordance with a form to be designated by the South Carolina State Dental Association, and furnish his patient with a copy of the same, if so desired by the patient.

Dentists to keep record of cases treated.

SEC. 8. That any person who shall, in violation of this Act, practice dentistry in the State of South Carolina for fee or reward shall be liable to indictment, and on conviction shall be fined not less than fifty or more than three hundred dollars: *Provided*, That nothing in this Act shall be so construed as to prevent any person from extracting teeth.

Penalty for violation of Act.

SEC. 9. That on trial of such indictment it shall be incumbent on the defendant to show that he has authority under the law to practice dentistry to exempt himself from such penalty.

SEC. 10. That all fines collected shall inure to the educational fund of the County where the offender resides.

Fines.

SEC. 11. That those who have been in the regular practice of dentistry in the State prior to the passage of this Act are exempt from the provisions of the same, except Section 7 of this Act.

Certain persons exempted.

SEC. 12. That the South Carolina State Dental Association is hereby made a body politic and corporate, shall have and use a common seal, sue and be sued, plead and be impleaded, and be empowered to make all necessary by-laws not inconsistent with the State laws and Constitution.

Corporate powers.

SEC. 13. That this Act shall continue in force until repealed.

Approved February 23, 1875.

A. D. 1875.  
No. 684.

**AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN  
OF CHESTERFIELD.**

*Corporate limits.*

*Invested with rights, &c., conferred on town of Manning.*

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the first Section of an Act entitled "An Act to incorporate the town of Chesterfield," approved the 5th day of February, 1872, be altered and amended to read as follows, viz: That the persons residing within the area of three-fourths of a mile from the Court House, in the County of Chesterfield, in the direction of east and west from the said Court House, and including one-fourth of a mile in the direction of north from said Court House, and one-half of a mile in the direction of south from said Court House, embracing an area of one and one-half of a mile in length, east and west, and three-fourths of a mile north and south, be, and the same are hereby, created a body corporate, under the name of the town of Chesterfield, with the officers the same in number, and having the same powers and privileges, and subject, in every respect, to the provisions of the charter granted to the town of Manning, by an Act incorporating the said town of Manning, approved the 9th day of March, 1871.

SEC. 2. That this Act shall be taken and deemed a public Act, and shall continue in force until amended or repealed.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 23, 1875.

**No. 685. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN THE CITY OF COLUMBIA.**

*Governor to appoint.*

*Proviso.*

*Vacancies.*

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor do appoint, by and with the advice and consent of the Senate, four Trial Justices for the city of Columbia, and no more, to hold their offices for the term of two years, unless sooner removed according to law: *Provided*, That during the recess of the Senate the Governor may appoint either one or all of said Trial Justices, to hold their offices, unless removed by him, till the end of the next session of the Legislature, when the appointment shall cease, unless confirmed by the Senate. If a vacancy occurs during the session of the

Legislature, it shall be filled only by the advice and consent of the Senate.

A. D. 1875.

SEC. 2. That the Trial Justices appointed for the city of Columbia shall reside in said city, and keep their offices there, which shall be open from day to day for the transaction of business : *Provided,* That the Trial Justices so appointed shall be commissioned by the Governor in the following manner, to wit : One for Ward 1, one for Ward 2, one for Ward 3 and one for Ward 4 ; and shall have their offices located in a central location, convenient to the people of the wards for which they are appointed.

Trial Justices  
to reside in the  
city.

Proviso.

SEC. 3. That instead of the fees heretofore allowed by law for the Trial Justices in the city of Columbia, they shall each be allowed a salary of eight hundred dollars per annum, payable quarterly, on the first days of January, April, July and October, by the County Treasurer of Richland County, out of the County funds, and that all fees taxed and recovered in criminal causes in the Courts of said Trial Justices shall be forthwith turned over to the County Treasurer for the County of Richland ; and the said Trial Justices shall make to the Judge of the Fifth Circuit a monthly report of all fees, fines and costs recovered or collected by them during the said month.

Fees.

How to be  
paid.

To make re-  
port.

SEC. 4. That all appointments of Trial Justices, resident within the city of Columbia, heretofore made, shall cease and determine on and after the first day of April next, and the Trial Justices provided for in this Act shall enter upon their duties upon that day.

Appointments  
heretofore  
made to cease.

SEC. 5. That the Trial Justices appointed for the city of Columbia may each appoint two Constables, and no more, to serve the processes of their respective Courts, removable at pleasure ; the Constables so appointed shall receive a salary of three hundred dollars per annum, to be paid at the times provided for in Section 3 of this Act.

May appoint  
Constables.

SEC. 6. That if either of the Trial Justices appointed for the city of Columbia shall neglect to attend to the duties of their offices, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the fees and fines collected by him in his office, he shall be liable to indictment therefor, and, on conviction, shall be liable to imprisonment for two years, or a fine of one thousand dollars, or both, within the discretion of the Court.

Failure to  
attend to du-  
ties.

Penalty  
therefor.

Approved February 23, 1875.

A. D. 1875. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE TRUSTEES OF THE REIDVILLE HIGH SCHOOL, AND TO RENEW THE SAME."**

*Charter amended.* SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate Trustees of the Reidville High School" be, and the same is hereby, amended, by striking out the words "limited to thirty in number," in the first line thereof, and the words "twenty or," in the third line of said Section.

SEC. 2. That Section 3 of the said Act be, and the same is hereby, amended, by striking out the words "of ten each," in the first line thereof, and by adding at the end of the said Section the following words, to wit: "And each class hereafter to be appointed shall consist of five in number."

SEC. 3. That the said Act be, and the same is hereby, renewed for the term of twenty-five years, from the date therein mentioned for its continuance of force.

Approved February 24, 1875.

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No. 687. **AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO CHANGE THE COURSE OF THE MARKET ROAD, KNOWN AS THE RIVER ROAD, IN SAID COUNTY."**

*Act changing course of Market Road repealed.* *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to authorize the County Commissioners of Lexington County to change the course of the Market Road, known as the River Road, in said County," be, and the same is hereby, repealed.

Approved March 2, 1875.

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No. 688. **AN ACT TO INCORPORATE THE TOWN OF GAFFNEY CITY, IN THE COUNTY OF SPARTANBURG.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from

and after the passage of this Act all citizens of this State who have resided thirty days in the town of Gaffney City, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Gaffney City, and its corporate limits shall extend one-half mile from the intersection of Church and Grainard streets, in all directions, and shall include a square formed upon the extremities of lines so drawn.

A. D. 1875.  
Corporators.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of this State, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of said town, on the fourth Monday in March, 1875, and on the same day in every year thereafter, ten days' public notice thereof being previously given, and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens.

Corporate  
limits.  
Officers.  
Electors.

SEC. 3. That said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Lewisville, South Carolina, by an Act entitled "An Act to incorporate the town of Lewisville, S. C.," approved February 28, 1872.

Invested with  
rights, &c.,  
conferred by  
charter on  
town of Lewis-

SEC. 4. This Act shall be deemed a public Act, and continue in force for the term of twenty-one years.

Approved March 3, 1875.

**AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO RENEW THE CHARTER OF THE SAND BAR FERRY, ACROSS THE SAVANNAH RIVER," AND TO FIX THE RATES OF TOLL OF SAID FERRY.** No. 689.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to renew the charter of the Sand Bar Ferry, across the Savannah River," which is certified by H. E. Hayne, Secretary of State, December 8, 1873, to have become a law without the approval of the Governor, be, and the same is hereby, altered and amended so as to read as follows: "That the Sand Bar Ferry across the Savannah River be, and the same is hereby, re-chartered, with the following rates of ferriage: For every four wheel carriage

Charter  
amended.

A. D. 1875.  
Rates of toll.

drawn by four or more horses, mules, oxen, or other animals, (except stage coaches,) seventy-five cents; for the same drawn by three horses, mules, oxen or other animals, sixty cents; for the same drawn by two horses, mules, oxen or other animals, forty cents; for the same drawn by one horse, mule, ox or other animal, thirty cents; for every other four wheel vehicle drawn by six or more horses, mules, oxen or other animals, sixty cents; for the same drawn by five horses, mules, oxen or other animals, fifty cents; for the same drawn by four horses, mules, oxen or other animals, forty cents; for the same drawn by three horses, mules, oxen or other animals, thirty cents; for every two wheel carriage drawn by two horses, mules, oxen or other animals, thirty cents; for the same drawn by one horse, mule, ox or other animal, twenty cents; for every other vehicle, twenty cents; for every person on horseback, or leading or driving a horse or mule, ten cents; for every lead horse or mule, accompanied by a person on horseback, five cents; for every horse or mule in a drove, three cents; for every head of cattle, three cents; for every sheep, hog or goat, two cents; for every animal for show, in addition to the carriage in which he may be conveyed, forty cents; for every foot passenger crossing, five cents.

Charter, in whom vested.

That all the rights, privileges and franchises incident to the said Sand Bar Ferry be, and are hereby, vested in Jonathan M. Miller, his heirs and assigns: *Provided, however,* That all ministers of the Gospel, voters going to and from election, children crossing and re-crossing for the purpose of attending school, are hereby allowed to pass free of toll over said ferry.

Penalty for unnecessary delay to passengers.

SEC. 2. That if any person shall meet with any unnecessary delay at the said Sand Bar Ferry in crossing, every such person or persons may recover from the owners of the same the sum of ten dollars for every hour he shall have been so unnecessarily detained, to be recovered by civil action on application from the party or parties aggrieved to any Trial Justice.

SEC. 3. This Act shall continue in force for the term of fourteen years.

Approved March 3, 1875.

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No. 690. AN ACT TO FACILITATE AND SAVE EXPENSES IN APPEALS.

When state-  
ment of case  
may constitute  
brief.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That upon appeals to the Supreme Court, in case the attorney for the appellant

and respondent shall agree upon a statement of the case as prepared by them for the hearing of the Supreme Court, such statement of the case shall be a sufficient brief of the same, and no return or other paper from the Circuit Court shall be required.

SEC. 2. That upon the transmission of a certified copy of such agreement to the Clerk of the Appellate Court, within the time now required by law, he shall place said cause on the docket for a hearing by said Court.

A. D. 1875.

Clerk on receipt of agreement to place cause on dock-  
et.

Approved March 5, 1875.

**AN ACT DIRECTING THE MANNER IN WHICH THE COUNTY TREASURER OF PICKENS COUNTY SHALL PAY THE PAST INDEBTEDNESS OF SAID COUNTY.**

No. 691.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Pickens County be, and he is hereby, directed, in paying the past indebtedness of said County, to pay the orders drawn by the County Commissioners of said County according to their dates, beginning with the oldest first and continuing from year to year until the tax collected exclusively for that purpose shall be exhausted, or until the entire debt of said County shall be liquidated.

County orders  
payable ac-  
cording to date.

Approved March 5, 1875.

**AN ACT TO REQUIRE ALL TRIAL JUSTICES TO EXHIBIT ALL ORIGINAL PAPERS TO THE COUNTY COMMISSIONERS BEFORE OR AT THE TIME SAID COMMISSIONERS AUDIT THEIR ACCOUNTS, AND FOR OTHER PURPOSES.**

No. 692.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the County Commissioners of the several Counties of this State, in auditing the accounts of Trial Justices, to require them to exhibit with the bill of costs all the original papers in each case in which said costs have accrued, and that no bill of costs, against any County in this State, shall be allowed by any Board of County Commissioners unless accompanied by the original papers in each case mentioned in the bill or account.

Trial Justices  
to exhibit  
original papers  
with bill of  
costs.

A. D. 1875.

County Commissioners to return same after examination.

Trial Justices to furnish itemized account of costs.

SEC. 2. That the County Commissioners, after examining the original papers of any Trial Justice, shall return them to him without delay.

SEC. 3. That it shall be the right of any person, before paying any costs in any Trial Justice's Court, to demand from said Trial Justice an itemized account of such costs; said account shall be received by the said Trial Justice at the time said costs are paid, and no person shall be compelled to pay any costs in any Trial Justice's Court unless the Trial Justice shall furnish to such person said itemized account.

Approved March 5, 1875.

No. 693. AN ACT DIRECTING AND REQUIRING THE PUBLICATION OF MONTHLY STATEMENTS BY THE STATE TREASURER.

State Treasurer to publish monthly statements.

What to contain.

Penalty for neglect or failure.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, directed and required, on the first Monday of every month after the passage of this Act, to publish, in one daily newspaper published in the city of Columbia and in one daily newspaper published in the city of Charleston, a statement of all moneys received by him during the preceding month, from whom, and on what account; of all moneys paid out by him during the preceding month, to whom, and on what account; and of the balances in the Treasury to the credit of the several funds for which taxes are levied and collected, or for which any other collections are made.

SEC. 2. That the neglect or failure of the State Treasurer to comply with the direction and requirement of Section 1 of this Act shall be deemed a misdemeanor, and on conviction thereof he shall, for each offense, be sentenced to a fine of not less than one thousand dollars, or to imprisonment for not less than one year, nor more than five years, in the State Penitentiary, or both, at the discretion of the Court.

Appropriation to pay for same.

SEC. 3. That the sum of five hundred dollars, if so much be necessary, be, and the same is hereby, appropriated to the payment of the expenses of such publication, which shall not exceed the usual charges of such newspapers for advertising, and the accounts thereof shall be audited by the Comptroller General, and paid by the State Treasurer out of any moneys collected for interest on deposits of the public funds.

Approved March 5, 1875.

**AN ACT TO DECLARE AND PROTECT THE RIGHTS OF MARRIED WOMEN AND CHILDREN, UNDER POLICIES OF LIFE INSURANCE TAKEN OUT FOR THEIR BENEFIT.**

A. D. 1875.  
No. 694.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a policy of insurance upon the life of any person which has already, or may hereafter, be taken out, in which it is expressed to be for the benefit of any married woman, or for the benefit of herself and her children, or for the benefit of herself and the children of her husband, whether procured by herself or her husband, shall inure to the use and benefit of the person or persons for whose use and benefit it is expressed to be taken out; and the sum or net amount of the insurance becoming due and payable by the terms of the policy shall be payable to the person or persons for whose use and benefit it shall be expressed to be taken, free and discharged from the claims of the representatives of the husband, or of any of his creditors, or any party or parties claiming by, through, or under him or them, or either of them: *Provided*, however, That if the premium paid in any one year, out of the property or funds of the husband, shall exceed the sum of five hundred dollars, the exemption from the claims of the creditors of the husband shall not apply to so much of said premium so paid as shall be in excess of five hundred dollars, but such excess, with the interest thereon, or so much thereof as may be necessary, shall inure to the benefit of such creditors, if any: *Provided*, The same be necessary for their payment.

Policy of insurance, to whose benefit to inure.

To whom payable.

Not subject to claims of creditors.

When said exemption not to apply.

Approved March 5, 1875.

**AN ACT TO AUTHORIZE THE LEVY OF A SPECIAL TAX IN YORK AND CHESTER COUNTIES TO RETIRE THE BONDS ISSUED BY SAID COUNTIES IN AID OF THE CHESTER AND LENOIR NARROW GAUGE RAILROAD COMPANY, AND FOR OTHER PURPOSES RELATING THERETO.** No. 695.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of York and Chester Counties are hereby authorized and directed, annually, to levy a special tax upon all the taxable property of said Counties of one and one-half mills, if so much be found necessary, for the purpose of raising, annually, a special tax to retire bonds of Chester and Lenoir Rail-

A. D. 1875. the sum of five thousand (5,000) dollars, to be used exclusively in paying and retiring bonds, with the coupons attached, of York and Chester Counties, issued by the County Commissioners of said Counties in aid of the construction of the Chester and Lenoir Narrow Gauge Railroad; said levy to be made by said Commissioners and collected by the County Treasurers of York and Chester Counties, in addition to the amount now required and collected to pay the annual interest accruing on said bonds.

SEC. 2. That the County Commissioners of York and Chester Counties be required to give public notice, through the newspapers of said Counties, for three successive weeks prior to the first day of March of each year, naming a day as early as practicable thereafter, upon which day, at their offices in said Counties, they will

<sup>Bonds to be purchased at lowest price.</sup> purchase, at the lowest prices at which they are offered, the bonds, with coupons attached, that have been issued in aid of the construction of said railroad, to the extent of the amount levied and collected under this Act.

SEC. 3. It shall be the duty of the Treasurers of York and Chester Counties to pay out the amount levied and collected under the

<sup>Proceeds of tax, on whose order payable, and in whose favor.</sup> first Section of this Act on or before the first day of June of each year, upon the written order or warrant of the County Commissioners of York and Chester Counties, in favor of the respective persons from whom said County Commissioners shall have purchased bonds and coupons attached, under the second Section of this Act.

SEC. 4. That so soon as the County Commissioners shall have purchased the bonds with coupons attached as aforesaid, they shall,

<sup>County Commissioners to keep register.</sup> in the presence of the Clerks of the Court of said Counties, register in a separate book, to be kept by said Commissioners, for public inspection, the date of purchase, the amount paid for each bond, as also the number and amount of each bond, with number of coupons

<sup>What to contain.</sup> attached, and the names of persons from whom said bonds were purchased, and so soon as said registry has been made the County Commissioners, in the presence of said Clerks of the Court, shall proceed to cancel each bond, with the coupons attached, so purchased and registered, and deliver and transfer the bonds and coupons so purchased and registered to the Clerk of the Court, taking his official receipt for the same, stating the number and amount of bonds and coupons.

<sup>To cancel and deliver bonds to Clerk of Court.</sup> SEC. 5. It shall be the duty of the Clerks of the Court for York and Chester Counties to provide a book, to be kept in their respective offices for public inspection, in which they shall make entries similar to those required to be made by the County Commissioners in reference to the cancelled bonds and coupons aforesaid delivered to them by said Commissioners; and said Clerks shall be held re-

<sup>Clerk of Court to keep similar register.</sup>

sponsible for the custody of said cancelled bonds and coupons afore-  
said.

A. D. 1875.

SEC. 6. It shall be the duty of the Treasurers of York and Ches-  
ter Counties, upon the demand of the County Commissioners of  
said Counties, to deliver to said Commissioners the coupons of the  
aforesaid bonds heretofore received by them, or which may hereaf-  
ter be received, upon said County Commissioners giving to said  
Treasurers a receipt expressing the number and amount of said  
coupons. That upon receiving said coupons said County Comis-  
sioners shall register, cancel and deliver the same to the Clerks of  
the Court, and the Clerks of the Court shall register and safely <sup>The same to  
be cancelled  
and delivered  
to Clerk of  
Court.</sup> keep the same, as provided under the third and fourth Sections of  
this Act.

SEC. 7. That this Act shall remain in force until all the bonds, <sup>Act to remain  
of force until  
bonds are re-  
tired.</sup> together with the coupons, issued by the County Commissioners of  
York and Chester Counties, in aid of the construction of the Ches-  
ter and Lenoir Narrow Gauge Railroad, have been retired and can-  
celled under the provisions of the foregoing Act.

Approved March 5, 1875.

**AN ACT TO REPEAL CHAPTER CXXV OF THE GENERAL STA- No. 696.  
TUTES OF SOUTH CAROLINA RELATIVE TO THE PUBLICATION OF  
LEGAL NOTICES.**

*Be it enacted* by the Senate and House of Representatives of the  
State of South Carolina, now met and sitting in General Assembly,  
and by the authority of the same, That Chapter CXXV of the <sup>Chapter  
CXXV re-  
pealed.</sup> General Statutes of South Carolina be, and the same is hereby, re-  
pealed.

Approved March 5, 1875.

**AN ACT TO PROVIDE FOR THE PAYMENT OF THE PAST INDEBTED- No. 697.  
NESS OF UNION COUNTY.**

SECTION 1. *Be it enacted* by the Senate and House of Repre-  
sentatives of the State of South Carolina, now met and sitting in  
General Assembly, and by the authority of the same, That the  
County Commissioners of Union County be, and they are hereby,  
authorized to apply, annually, the proceeds of two mills of the  
County tax for County purposes to the payment of the past indebt- <sup>Appropria-  
tion for past  
indebtedness.</sup>  
edness of said County until said indebtedness be satisfied: *Provided,*

A. D. 1875. That such payments shall be made to the holders of said debts *pro rata.*  
How payable.

Special tax of two mills to meet said appropriation. SEC. 2. That, for the purpose of making said payments, the County Commissioners of Union County be, and they are hereby, authorized to cause to be levied and collected, at the same time, and in the same manner, as the general tax is levied and collected for the fiscal year commencing November 1st, A. D. 1875, a special tax of two mills upon the dollar on all the taxable property of the said County.

Approved March 8, 1875.

**No. 698. AN ACT TO ALTER AND AMEND THE CODE OF PROCEDURE,  
BEING TITLE V, PART III, OF THE GENERAL STATUTES.**

Code of Procedure amended.

Sub-division 1 stricken out.

Relative to jurisdiction of Supreme Court.

Section 41 amended.

How and when Probate Judge may order sale of real estate of deceased debtor.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Code of Procedure, being Title V, Part III, of the General Statutes, be, and the same is hereby, amended in the several Sections thereof as is hereinafter provided: In Section 11 strike out sub-division one (1) and insert the following in place thereof: "1. Any intermediate judgment, order or decree, involving the merits in actions commenced in the Court of Common Pleas and General Sessions, brought there by original process, or removed there from any inferior Court or jurisdiction, and final judgment in such actions: *Provided*, If no appeal be taken until final judgment is entered, the Court may, upon appeal from such final judgment, review any intermediate order or decree necessarily affecting the judgment not before appealed from." In sub-division two (2) of the same Section, after the word "trial," in the fourth line, insert the following words: "Or when such order strikes out an answer, or any part thereof, or any pleading in an action."

SEC. 2. Add to Section 41 the following words: "And whenever it shall appear to the satisfaction of any Judge of Probate that the personal estate of any person deceased is insufficient for the payment of his debts, and all persons interested in such estate being first summoned before him, and showing no cause to the contrary, such Judge of Probate shall have power to order the sale of the real estate of such person deceased, or of so much thereof as may be necessary for the payment of the debts of such deceased person, upon such terms and in such manner as he may think best, may grant orders of injunction to stay actions or proceedings against the executors or administrators of such deceased person, and such other

orders as may be necessary to secure the marshaling and administering the assets of such deceased person. All proceedings under this Section to be by summons and complaint, wherein the time for answering, manner of service, &c., shall conform, as near as may be, to the form and practice in the Courts of Common Pleas of this State."

A. D. 1875.

How such proceedings to be instituted.

SEC. 3. In Section 52, strike out the words "first Section," in line one, and insert in place thereof the words "thirty-fifth Section," and in Section 57 strike out the words "Clerk's Office," in the fifth line, and insert in place thereof the words "office of the Probate Court."

In Section 52,  
"thirty-fifth"  
inserted in lieu  
of "first."In Section 57,  
"office of Prob-  
ate Court"  
inserted in lieu  
of "Clerk's of-  
fice."

SEC. 4. Strike out Section fifty-eight (58).

Section 58  
stricken out.

SEC. 5. Strike out sub-division four (4) of Section eighty-one (81).

Section 81, Sub-  
division 4,  
stricken out.

SEC. 6. In Section 91, add the following words, as sub-division sixteen: "Where more than twenty-five dollars is demanded in a complaint, the same shall be served on the defendant twenty days, and where less than that sum is demanded, five days before the day therein fixed for trial: *Provided*, That if the plaintiff shall make out that he is apprehensive of losing his debt by such delay, and the Trial Justice considers that there is good reason therefor, (the ground of such apprehension being set forth in an affidavit, and served with a copy of the complaint,) he may make such process returnable in such time as the justice of the case may require."

Section 91  
amended rela-  
tive to time of  
serving com-  
plaints.When process  
may be return-  
able at discre-  
tion of Trial  
Justice.

SEC. 7. In Section 98, strike out the words "forty years," where they occur in the fourth and eighth lines, and insert in the place thereof the words "twenty years," and in Section 100, one hundred and one, (101,) one hundred and two, (102,) one hundred and three, (103,) one hundred and four, (104,) one hundred and five, (105,) and one hundred and nine, (109,) strike out the words "twenty years," wherever they occur, and insert the words "ten years" in the place thereof. In Section one hundred and eleven, (111,) strike out the words "twenty years," in the twelfth line, and insert the words "ten years" in place thereof, and on the same line strike out the word "ten" and insert "five" in the place thereof.

In Section 98,  
"twenty  
years" inserted  
in lieu of  
"forty years."In Section 100  
to 105 and 109,  
"ten years,"  
inserted in lieu  
of "twenty  
years."In Section 111,  
"ten years,"  
inserted in lieu  
of "twent  
years;" also  
"five" in lieu  
of "ten."

SEC. 8. In Section one hundred and thirteen, add to sub-division two the following words: "Other than sealed notes and personal bonds, for the payment of money only, whereof the period of limitation shall be the same as prescribed in the following Section."

Sub-division 2  
of Section 113  
amended rela-  
tive to period  
of limitation of  
sealed notes,  
&c.

SEC. 9. In Section one hundred and fifty-seven, add to sub-division four (4) the following words: "If the said defendant is a resident of the State, but is temporarily absent therefrom, to any person over twenty-one years of age residing at the residence or employed at the place of business of said absent person."

Sub-division 4,  
Section 157,  
amended rela-  
tive to service  
of summons.

SEC. 10. In Section one hundred and fifty-eight, (158,) after the

A. D. 1875.

Section 158  
amended rela-  
tive to service of  
summons by  
publication in  
case of minors.

Proof of ser-  
vice, how to be  
made.

Service of sum-  
mons upon per-  
sons in Asylum or Penitentia-  
ry, &c.

Court to ap-  
point guardian  
*ad litem*.

"One news-  
paper" insert-  
ed in lieu of  
"two newspa-  
pers."

Section 232  
amended.

When party  
in possession  
may retain  
property.

Section 274  
amended.

When issues  
of law and fact  
may be tried  
together.

words "post office," on line thirty-two, add the following words: "In cases of minors who cannot be found within the State, the like

order for publication shall be made, and the summons published in a newspaper to be designated in the order. In addition to the publication so to be made, the summons and complaint shall be personally served by delivery of a copy thereof to such minor; and if under the age of fourteen years, also to his or her father, mother or guardian, or if there be none such, at the place of his or her residence, to any person having the care and control of such minor, or with whom he or she shall reside, or in whose service he or she shall be employed, unless it is made to appear to the Court or Judge that the place of residence is not known to the party making the application, and cannot, with reasonable diligence, be ascertained by him. Proof of such personal service shall be made by affidavit of the party delivering the copy summons and complaint properly authenticated. In case of persons imprisoned in the penitentiary, or in the jail of any County in this State, and in case of lunatics confined in the Asylum, or in any other place of confinement, personal service of the summons and complaint, or other process affecting the rights of such persons, shall be made by the Sheriff of the County in which such persons shall be imprisoned or confined, with the like proof of service as required in case of minors, and thereupon the Judge of the Court, or the Trial Justice before whom the action is to be tried, shall appoint some attorney or other competent

person to act as guardian *ad litem* for any persons so imprisoned or confined, who shall receive out of the property of such persons a reasonable compensation for services rendered in their behalf; and the case shall proceed as in other cases of persons not under disability: *Provided*, That in case of persons imprisoned or confined, as herein stated, beyond the limits of this State, service by publication shall be deemed sufficient." That the same Section shall be amended by striking out the words "two newspapers," in line twenty-two, and inserting the words "one newspaper" in place thereof.

SEC. 11. That Section two hundred and thirty-two be amended by adding thereto the following words: "In case the plaintiff does not execute the required undertaking, the party having possession of the property shall retain the same until the determination of the suit."

SEC. 12. Strike out the last sixteen words of Section two hundred and seventy-four and insert in place thereof the following words:

"In such case the cause shall be placed on the calendar of issues of fact, and the issues shall be tried together, unless the Court otherwise direct."

**SEC. 13.** That Section two hundred and seventy-eight (278) be amended by striking out the first nine lines thereof, beginning with the word "at," and ending with the word "notice," and inserting in place thereof the following words: "At any time after issue, and at least fourteen days before Court, the plaintiff shall file in the Clerk's office the summons and complaint in the cause, endorsing thereon the nature of the issue and the number of the docket upon which the same shall be placed; and, if the plaintiff fail so to do, the defendant, seven days before the Court, may file copies of said papers with a like endorsement, and the Clerk shall thereupon place said cause upon its appropriate docket, and it shall stand for trial without any further notice of trial or notice of issue."

A. D. 1875.

Section 278  
amended.Summons and  
complaint to be  
filed in Clerk's  
office.When Clerk  
to place cause  
on docket.

**SEC. 14.** Strike out Section three hundred and thirteen (313) and insert: "Final judgments, hereafter entered in any Court of record in this State, shall constitute a lien upon the real estate of the judgment debtor in the County where the same are entered, for a period of ten years from the date of entry of such judgments; and in cases where judgments have been obtained since the first day of March, A. D. 1870, a like lien may be obtained by the service of a summons upon the judgment debtor, or, if he be dead, upon his heirs, executors or administrators, to show cause, if any he or they may have, why said judgment should not be and become a lien in accordance with the provisions of this Act; and if no sufficient cause be shown to the contrary, said judgment shall be and become a lien on all the real property of the judgment debtor, in the County where entered, for ten years from the date of the filing of such summons, with proof of service thereof, in the office of the Clerk of the Court of Common Pleas of the County where such judgments have been entered, but no judgment shall constitute a lien on any property of the judgment debtor outside of the County where the same is entered, unless a transcript thereof is lodged in the office of the Clerk of the Court of Common Pleas of the County where the property of the judgment debtor may be situate; and from the date of the filing of such transcript it shall have the same force and effect as if the judgment had been originally entered in the County in which said transcript is filed: *Provided, however,* When any judgment has been obtained and execution issued since the first day of March, A. D. 1870, and the said judgment or execution has now a lien by reason of a levy in accordance with the provisions of the Code of Procedure, then the lien of such judgment or execution shall date from the day upon which it became a lien under the said Code of Procedure: *Provided, further,* That the plaintiff in such judgment may, at any time in three years after its active energy has expired, renew the judgment, with like liens as in the original,

Section 313  
stricken out.Final judgment  
a lien on  
real estate for  
ten years.Manner of  
creating where  
judgment has  
been obtained  
since March 1,  
1870.How judgment  
to be made a  
lien outside of  
County where  
entered.Lien, if judgment  
obtained since March 1,  
1870—when to  
date.Renewal of  
judgment after  
expiration of  
active energy.

A. D. 1875.

for a like period, by service of a summons on the debtor, as provided by law, requiring him to show cause, if any he can, at the next Term of the Court for his County, why such judgment should not be renewed; and if no good cause be shown to the contrary, then it shall be decreed that such judgment is renewed, according to the force, form and effect of the former recovery: *Provided, further,* That this Section shall not be so construed as to make final judgment in any case a lien on the real property of the judgment debtor exempt from attachment, levy and sale under the Constitution."

~~Property exempt by Constitution not affected by these proceedings.~~

~~Sections 314 to 316 stricken out.~~

~~When execution may issue upon judgment~~

~~To be lien on personal property for four months.~~

~~How to be renewed.~~

SEC. 15. Strike out Section three hundred and fourteen (314), three hundred and fifteen (315), and three hundred and sixteen, (316), and insert, "Execution may issue upon any judgment or decree, within three years from the entry thereof, without any revival of the same. When levied on personal property, they shall be a lien on such property, for the period of four months from the period of such levy; and such levy may be renewed from time to time, with like effect; shall be made returnable in the words according to law, and shall have active energy from the time they shall first be lodged until the regular term of the Court from which they were sued, which shall follow next after the full completion of five years from its lodgment, and may be renewed at any time during the continuance of its active energy without costs; but after the expiration of its active energy, as aforesaid, the same may be renewed by the service of a summons on the judgment debtor, his heirs, executors or administrators, to show cause, if any they may have, why the same shall not be renewed; and if no sufficient cause be shown, the same may be renewed; and so, from period to period, as often as the same may be found necessary; and whenever renewed shall be subject to the rules herein provided."

SEC. 16. The Sheriff, Coroner or other officer with whom final process as aforesaid shall be lodged, shall, at each regular term of the Court from which the said execution or process was sued out, during the continuance of its active energy, until full execution thereof be returned, make a return to the office of the Clerk of the Court of Common Pleas of his actings and doings thereunder. If he shall have fully executed, he shall return the process, with the manner of its execution; if he shall have partially executed, he shall return, on oath, to the Clerk, a statement in writing, under his hand, of such partial execution, with the reason of his failure as to the remainder; if he shall have wholly failed to make execution he shall return, on oath, a statement in writing, under his hand, of his failure, with the reasons; and in any event, on the first day of the term at which the active energy of the process shall

Sheriff, *et al.*,  
to make return  
of his action to  
Clerk of Court  
at each regular  
term thereof.

cease, as herein provided, he shall return the process, if the same has not been before returned as fully executed, and the return of the officer made as aforesaid shall, for all purposes, have the same legal effect as if the said process had been made returnable to the term succeeding its first lodgment, and renewed after each subsequent regular term. For failure or neglect to make any of the returns above mentioned, or for any false returns, the Sheriff or other officer, as aforesaid, shall be subject to rule, attachment, action, penalty and all other consequences provided by law for neglect of duty by executive or judicial officers."

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Penalty for  
failure to make  
returns as  
above.

SEC. 17. Strike out Section three hundred and thirty-three, and insert in place thereof the following: "When allowed, except in Courts of Trial Justices, costs shall be as follows: First. To the plaintiff, for all proceedings where judgment is obtained by default, fifteen dollars; for trial of issue of fact, twenty dollars; for trial of issue of law, fifteen dollars. Second. To the defendant, when judgment or verdict is found for the defendant, the same costs as are allowed plaintiff in like cases. Third. To either party, in all contested cases, fifteen dollars; for a commission to take testimony, ten dollars; for the examination of a party or witnesses before trial, five dollars; for the appointment of a guardian of an infant, ten dollars; for making and serving a case or cases containing exceptions, ten dollars; for procuring an order of injunction, five dollars; to either party, on appeal to the Supreme Court, twenty dollars; for argument, thirty dollars: *Provided*, That nothing herein contained shall apply to suits commenced and existing at the time of the passage of this Act, wherein the costs shall be the same as allowed previous to the passage hereof."

Section 333  
stricken out.

Amount of  
costs to be al-  
lowed.

SEC. 18. In Section three hundred and fifty-seven strike out the words "two years," in the fifth line, and insert in the place thereof the words "three months," and add to said Section the following words: "No rule or order of any Court or Judge shall require the printing of any brief, report or other paper connected with appeals by any party to an action or proceeding who makes an affidavit, to be filed with the Clerk of the Supreme Court, that he or she is unable to pay for such printing."

In Section 357,  
"three  
months" in-  
serted in lieu  
of "two years."

When printing  
of briefs, &c.,  
may be dis-  
pensed with.

SEC. 19. That Section three hundred and fifty-nine (359) be stricken out; and that the first eight lines of Section three hundred and sixty, (360,) beginning with the word "if" and ending with the word "appeal," be stricken out, and the following substituted in place thereof: "A notice of appeal from a judgment directing the payment of money shall not stay the execution of the judgment unless the presiding Judge before whom the judgment was obtained shall grant a stay of execution, but after notice of appeal, the

Section 359  
stricken out.

Section 360  
amended.

Notice of ap-  
peal not to stay  
execution o f  
judgment.

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Plaintiff en-  
forcing sale to  
give undertak-  
ing.

Not allowed  
to sell if de-  
fendant gives  
security.

Section 364  
amended.

Section 365  
amended.

In Section 366,  
"or Clerk" in-  
serted.

Section 367  
amended.

Section 371  
amended.

Sections 372 to  
375 stricken out

Section 377  
amended rela-  
tive to pay-  
ment of fees to  
Trial Justices.

Section 383  
amended rela-  
tive to liability  
of party exe-  
cuting under-  
taking.

Section 388  
amended—un-  
dertaking to  
stay execution.

plaintiff shall not enforce a sale of property without giving an undertaking or bond to the defendant, with two good sureties, in double the appraised value of the property, or double the amount of the judgment, conditioned to pay all damages which the defendant may sustain by reason of such sale, in case the judgment is reversed; nor shall the plaintiff in such case be allowed to proceed with a sale of defendant's property, if the defendant do enter into an undertaking, with good sureties, in double the appraised value of the said property, or the amount of the judgment, to pay the judgment, with legal interest, and all costs and damages which the plaintiff may sustain by reason of the appeal, or produce the property levied on, and submit to the sale, in case the judgment be confirmed."

In Section three hundred and sixty-four, strike out the following words: "whenever an appeal is perfected, as provided by," and insert in place thereof "whenever the defendant executes the bond hereinbefore prescribed, or the appeal is perfected as provided by."

In Section three hundred and sixty-five, strike out the words "three hundred and fifty-nine," in the first and second lines. In Section three hundred and sixty-six, after the word "Judge," in the fifth line, insert the words "or Clerk." In Section three hundred and

sixty-seven, strike out the words "the perfecting of an appeal by giving the undertaking mentioned in Section three hundred and fifty-nine," and insert in place thereof the words "the notice of appeal."

SEC. 20. That Section three hundred and seventy-one (371) be amended by striking out all of said Section after the words "Clerk of the Appellate Court," in the tenth line thereof, and substituting a period for the semi-colon. And that Section three hundred and seventy-two (372), three hundred and seventy-three (373), three hundred and seventy-four (374,) and three hundred and seventy-five (375), be stricken out. That Section three hundred and seventy-seven (377) be amended by striking out the words "but no Justice of the Peace shall be bound to make a return, unless the fees prescribed by the last Section of this Chapter be paid on the service of the notice of appeal," on the fifth, sixth and seventh lines.

That Section three hundred and eighty-three (383) be amended by striking out the words "and if the party making such offer shall have given an undertaking upon the appeal, the parties executing such undertaking shall be liable thereon for the payment of the judgment entered by virtue of said offer, beginning on line thirteen and ending on line sixteen of sub-division five of said Section. That

Section three hundred and eighty-eight (388) be amended by striking out the words "and no undertaking, given to stay execution, shall be enforced for more than the amounts of the cor-

rected judgments," on lines sixteen, seventeen and eighteen; also, by striking out the words "he shall be allowed to tax, as part thereof, the costs and fees paid to the Trial Justice on making the appeal, as disbursements, in addition to the costs in the Appellate Court," in the thirtieth, thirty-first and thirty-second lines. Strike out the words "Court below," in the fifty-sixth line, and insert the words "Trial Justice."

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SEC. 21. That after the passage of this Act no judgment shall be obtained in the Court of Common Pleas, except during Term time and in open Court, and it shall be the duty of the Clerk to place all cases filed in his office, in which there is no defense, upon a docket, to be prepared by him for the purpose, to be known as Docket Number Six (6), and they shall be called on the first day of the term, and the order for judgment shall be endorsed on the complaint and signed by the presiding Judge, and no execution shall be signed on judgments obtained by default in any other manner than is herein provided.

<sup>"Trial Justice" inserted in lieu of "Court below."</sup><sup>Judgments obtainable only during term time.</sup><sup>Special dock-  
et—when to be  
called.</sup>

Approved March 8, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE CAROLINA SAVINGS BANK OF CHARLESTON."** No. 699.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to incorporate the Carolina Savings Bank of Charleston," approved March 16, 1874, be so amended that the said corporation, the Carolina Savings Bank of Charleston, and its branches, in addition to the powers conferred by the said Act, with a view to aiding and developing the agricultural interests of the State, shall have full power and authority to make advances to planters and others, to be secured by liens upon personal property, mortgages of real estate, bonds and promissory notes, and, also, to buy and sell foreign and domestic exchanges, and to lend money on the pledge of gold or silver, bonds, notes, or bills of exchange.

<sup>Charter amended.</sup><sup>Advances—  
how to be se-  
cured, &c.</sup>

Approved March 9, 1875.

A. D. 1875. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE EDGEFIELD COTTON AND WOOLEN MANUFACTURING COMPANY."**  
 No. 700.

Charter amended.

Objects of corporation.

May increase capital stock.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the title of said Act be amended, by striking out the words "cotton and woolen," so that it will read "An Act to incorporate the Edgefield Manufacturing Company."

**SEC. 2.** That Section 1 of an Act entitled "An Act to incorporate the Edgefield Cotton and Woolen Manufacturing Company," approved February 27, 1873, be, and the same is hereby, amended by striking out, after the word "Edgefield," occurring on the ninth line thereof, the following: "Cotton and Woolen Manufacturing Company, for the purpose of manufacturing and finishing all goods of which cotton or wool may form a part, as well as all machinery used for such purposes," and inserting in lieu thereof the following: "Manufacturing Company, for the purpose of grinding grain, ginning cotton, the manufacture of oils from cotton seed, or the manufacture of cotton or woolen goods, as well as all machinery used for such and like purposes."

**SEC. 3.** That Section 1 of said Act be amended by the addition of the words "with the privilege of increasing said capital to a sum not exceeding six hundred thousand dollars."

Approved March 9, 1875.

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**No. 701. AN ACT TO INCORPORATE THE MIDDLE STREET SULLIVAN'S ISLAND RAILWAY COMPANY.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Bernard Corporators. O'Neil, William Knobloch, L. Sherfesee, Bernard Boyd, W. F. Gleason, Edward Burke, M. P. O'Connor, A. Melchers, A. St. Amand, H. E. Hayne, C. O. Witte, James Cosgrove, A. J. Ransier, William Moran, John Boyd, A. S. Johnston, William J. Gayer, Oscar Aichel, F. W. Wagener, John H. Devereaux, J. B. Patrick, F. L. Cardozo, W. R. Jervay, James Cantwell, J. L. Tobias, P. Brady, B. Callahan, R. S. Cathcart, George S. Pelzer, P. Tecklenburg, W. Y. Leitch, Ed. Daly, J. H. Murray, J. B. Howard, and their associates, be, and they are hereby declared to be, a body corporate, under the name and style of the Middle Street Sullivan's name.

Island Railway Company, with full power and authority to construct a railroad from any point or points near the steamboat landing on Sullivan's Island, through Middle Street, as now defined, throughout the length of the Island to the eastern extremity thereof.

SEC. 2. That the capital stock of the said Company shall be twenty-five thousand dollars, in shares of fifty dollars each, and the said Company may commence the work of building said road as soon as two thousand dollars of the capital shall have been paid in cash.

SEC. 3. The said Railroad Company shall have full power and authority to construct their road along the present Middle Street to its terminus, and through any continuation of Middle Street, by whatever other name called, from the present boundary, to the extreme end of the Island.

SEC. 4. The stockholders of the said Company shall only be liable to the amount of their respective share or shares of stock in said Company for all its debts and liabilities, upon notes or otherwise.

SEC. 5. The said Company shall have the right to enforce payment of subscription to the capital stock by suit, or by sale of the shares of the delinquent stockholder, applying the proceeds to the payment of whatever sum may be due and owing by the delinquent stockholder, with the right of recovery against him, personally, for any deficiency that may exist after application of the proceeds of sale.

SEC. 6. The said Company shall have the right to sue and be sued, plead and be impleaded, the same as all other corporations.

SEC. 7. The corporators named in this Act, with such others as they may elect to associate with them, are empowered to name two Commissioners from their number to open books of subscription to the capital stock of said Company.

SEC. 8. This Act shall be deemed a public Act, and shall continue in force for twenty-one years: *Provided*, That the said railway shall be commenced within two years, and completed within five years from the passage of this Act.

Approved March 9, 1875.

A. D. 1875.

Capital stock.

Line of road.

Liability of stockholders.

May enforce payment of subscriptions.

May sue, &c.

Commissioners to open books of subscription.

#### AN ACT RELATIVE TO STATE OFFICERS AND OFFICES.

No. 702.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That during

A. D. 1875.

Office hours.

the sessions of the General Assembly the following State officers, viz: The Secretary of State, the Comptroller General, the Attorney General, the State Treasurer, the State Superintendent of Education, the Adjutant and Inspector General, and State Librarian, shall keep open and attend to their respective offices from 9 o'clock in the morning until 3 o'clock in the afternoon on every day, Sundays and general holidays excepted.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act, for the purposes of this Act, be, and the same are hereby, repealed.

Approved March 9, 1875.

**NO. 703. AN ACT TO EMPOWER MECHANICS TO SELL PROPERTY LEFT WITH THEM FOR REPAIRS AFTER ONE YEAR.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That from and after the passage of this Act it shall be lawful for any mechanic, or mechanics, in this State, when property may be left at their shop for repair, to sell the same, at public outcry, to the highest bidder, after the expiration of one year from the time such property shall have been repaired; and the same shall be sold by any Trial Justice of the County in which the work was done: *Provided*, That the said Trial Justice shall, before selling such property, advertise the same, for at least ten days, by posting a notice in three of the most conspicuous places in his township. And he shall, after deducting all proper costs and commissions, pay to the claimant, or claimants, the money due to him, or them, taking his, or their, receipt for the same; after which he shall deposit the said receipt, as well as the items of costs and commissions, with the remainder of money or proceeds of the sale, in the office of the Clerk of the Court, subject to the order of the owner or owners thereof, or his or their legal representatives.

*To deposit surplus with Clerk of Court.*

**SEC. 2.** That the Trial Justice who shall sell such property shall be entitled to receive the same commissions as are now allowed by law for the sale of personal property by Constables.

**SEC. 3.** That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 9, 1875.

AN ACT TO INCORPORATE THE STREET RAILWAY COMPANY OF  
THE CITY OF GREENVILLE.A. D. 1875.  
No. 704.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel Stradley, William L. Mauldin, V. E. McBee, James P. Moore, Thomas C. Gower, Franklin Coxe, William E. Earle, and all other persons who may become associated with them, be, and they are hereby, declared a body politic and corporate, under the name and style of the "Street Railway Company of the city of Greenville, S. C.," and by that title shall have power to take, subscribe and raise a capital stock to the amount of twenty-five thousand dollars, if so much be necessary, in shares of twenty-five dollars each, for the purposes contemplated, with power to increase the said capital to the further sum of fifty thousand dollars, if found necessary: *Provided*, That such increase be assented to by a majority, in value, of the stockholders, who shall be notified in two of the public papers of the city of Greenville, of a meeting to be held for that purpose.

COPORATORS.

CORPORATE NAME.

CAPITAL STOCK.

SEC. 2. That said Street Railway Company shall have power and authority, subject, as is hereinafter provided, to the Ordinances, authority and supervision of the City Council of Greenville relative thereto, to lay railway tracks through and along the streets within the corporate limits of the city of Greenville, and to use and employ upon such railway tracks sufficient and suitable carriages or cars, to be drawn by horses or animal power, for the transportation of passengers and freight, upon such rates as shall be fixed by the said company, and approved by the said City Council, and for this purpose shall have all the authority and power necessary to carry the same into effect.

LINE OF ROAD,  
&c.

SEC. 3. That the said company shall be able and capable, by its corporate name, to buy property and to sell the same for the purposes of its business; to sue and be sued, plead and be impleaded, answer and be answered unto, in any Court of law or equity in this State; to have succession of officers and members, and shall have power to make by-laws, not repugnant to the laws of the land, for the government and good order of its members, as shall be deemed expedient by a majority of the stockholders, and to have a common seal, and to alter and make new the same.

GENERAL POWERS.

SEC. 4. That the said Railway Company, before laying any railway tracks for the purpose of running cars thereon, in any street or streets in the city of Greenville, shall fully and formally submit their plan or plans, designating the street or streets on which they propose to construct a railway, to the municipal authorities of said

PLANS, &c., TO  
BE SUBMITTED TO  
CITY COUNCIL OF  
GREENVILLE.

A. D. 1875.

Road to be under their supervision, &c. city for their approval; and that all the works along and through the streets of said city be under the authority, supervision and arrangement of the corporate authorities of the city of Greenville, subject to such provisions, contracts, Ordinances and restrictions as they may deem advisable for the general welfare and due protection of the public and private rights, as also for the protection of the property and rights of said company.

May issue bonds. SEC. 5. That said Railway Company shall have power and authority to issue bonds to an amount not exceeding twenty-five thousand dollars, the same to be redeemed at such time, not exceeding twenty years, as may be agreed upon by said company, and to bear interest at the rate of seven per cent. per annum, payable semi-annually.

SEC. 6. That this Act shall remain in force and continue for the period of twenty-one years, and thereafter until repealed: *Provided*, Said Street Railway be completed within six years from the passage of this Act; otherwise the rights, privileges and franchises herein granted shall cease and determine at the expiration of the last named period.

Approved March 9, 1875.

No. 705. AN ACT TO CHANGE THE NAMES OF JACOB B. KOON AND AUGUSTA C. KOON, CHILDREN OF MARY A. KOON, OF LEXINGTON COUNTY, TO THAT OF JACOB B. RAWLS AND AUGUSTA C. RAWLS, AND TO LEGITIMIZE THEM AS THE CHILDREN OF BARNETT H. RAWLS, OF THE SAME COUNTY.

Jacob B. and Augusta C. Koon, names changed to Rawls. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the children begotten of the body of Mary A. Koon, of Lexington County, called by the names of Jacob B. Koon and Augusta C. Koon, be, and they are hereby, invested with all the rights and privileges of legitimate children of Barnett H. Rawls, in the same manner, and to the same extent, as if they had been born in lawful wedlock, and that they shall hereafter be called and known by the names of Jacob B. Rawls and Augusta C. Rawls.

Legitimized.

SEC. 2. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 9, 1875.

**AN ACT TO VEST CERTAIN REAL ESTATE IN THE CITY OF COLUMBIA, LIABLE TO ESHEAT, IN SOLOMON AUMANN.**

A. D. 1875.  
No. 706.

Preamble.

Whereas Sophia Aumann, otherwise known as Rose Le Grand, late of the city of Columbia, and County of Richland, was, at the time of her death, seized and possessed of certain real estate in said city of Columbia, acquired by purchase, described as a lot of land in said city, on the southwestern corner of Gates and Lady streets, measuring seventy-two feet front on Gates street, and running west on Lady street one hundred and fifty-seven feet; and the said Sophia Aumann, in and by her last will and testament, duly executed and admitted to probate, devised all her real estate to her son, Solomon Aumann, now of the town of Hamburg, Germany; and, whereas, it is now questioned whether said lot of land may not be liable to be proceeded against as escheated property, by reason of the alienage of said Sophia Aumann and Solomon Aumann; and, whereas, by an Act of the General Assembly, ratified the 19th December, 1816, the escheated property which had then, or might thereafter, become the property of the State, in Richland District, not exceeding the sum of five thousand dollars, was granted to the Trustees of the Columbia Academy, for the use of the Female Academy; and, whereas, the said Trustees of the Columbia Academy, by resolution, passed on the second day of February, A. D. 1875, have released and relinquished all their right or claim to said property, in favor of said devisee, Solomon Aumann; now, therefore,

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all right, claim, title and interest of the State of South Carolina, in and to the said lot of land above described, be, and the same is hereby, released to, and vested in, the said Solomon Aumann.

Title of State  
in certain lands  
vested in Solo-  
mon Aumann.

Approved March 9, 1875.

**AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF DARLINGTON COUNTY TO LEVY A SPECIAL TAX, AND FOR OTHER PURPOSES.**

No. 707.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Darlington County are hereby authorized and required to continue to levy and cause to be collected a special

A. D. 1875. Special tax for past indebtedness. tax of two mills on the dollar of the value of the taxable property of the said County, for the fiscal year commencing November 1, 1875, the said tax to be applied exclusively to the settlement of the past indebtedness of the said County, as herein provided, and a similar tax in each succeeding year thereafter, for the same purpose, until such indebtedness shall be fully paid: *Provided*, That all persons holding claims against the said County

Claims to be registered. which have not already been registered at the County Commissioners' office shall be, and are hereby, required to file a list of the same, with the amounts and dates thereof, in the office of the County Commissioners, within ninety days after the passage of this

Notice to be given to register. Act: *Provided, further*, That due notice shall be given, by publication in one or more newspapers of the County, to be at least three issues thereof, of the opening of a book of registry for such purpose by the County Commissioners.

When Treasurer to pay claims pro rata SEC. 2. That the County Treasurer of Darlington County shall devote the proceeds of such special tax to the payment of all claims registered as hereinbefore provided, and should the amount of such special tax collected in the first year after the passage of this Act be insufficient to pay the entire indebtedness of the said County, then the County Treasurer of said County shall pay out the same *pro rata*, and continue the same from year to year, until the whole amount of such indebtedness shall have been paid, endorsing each partial payment on each claim presented, which shall have the word "registered," with the date of registering written across the face of the same, in red ink, over the signature of the Clerk of the Board of County Commissioners, and the party receiving such partial payment shall receipt to said Treasurer for each partial payment, the said receipt to be kept and filed by said Treasurer, as his voucher.

Claimants to receipt for partial payments. SEC. 3. That when the final payment upon each claim shall have been made, final payment shall be endorsed upon such claim, and the said claim shall be taken by the County Treasurer, in addition to the receipt for such final payment, from the party receiving such payment, and the said Treasurer shall return the same to the County Commissioners of Darlington County, which shall be kept on file in their office, with the papers to be known as "the Darlington County debt papers."

Disposition to be made of same. SEC. 4. That the proceeds of a special tax which the County Commissioners of Darlington County have levied and caused to be collected, by authority of law, for the fiscal year ending November 1, 1874, shall be distributed and paid upon the claims already registered, as herein provided by the County Treasurer, in the manner set forth in Section 2 of this Act.

Special tax for present fiscal year, how to be distributed.

**SEC. 5.** That all Acts or parts of Acts inconsistent with the provisions of this Act are, for the purposes of this Act, hereby repealed.

A. D. 1875.

Approved March 9, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BLACKSTOCK."** No. 708.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the town of Blackstock," approved February 22, 1873, be, and the same is hereby, amended, by striking out the words "one-half," occurring on the eighth line thereof, and inserting in lieu thereof the words "one-quarter." "One-quarter" inserted in lieu of "one-half."

Approved, March 10, 1875.

**AN ACT TO PERMIT THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO PAY, OUT OF TAXES COLLECTED FOR THE PRESENT FISCAL YEAR, THE CLAIMS AGAINST SAID COUNTY FOR PRECEDING FISCAL YEARS, WHICH HAVE BEEN AUDITED AND ORDERED PAID, BUT WHICH REMAIN UNPAID.** No. 709.

Whereas it appears by the reports of the Board of County Commissioners of Lexington County, that accounts against the County for fiscal years previous to the last, amounting to the sum of one hundred and forty dollars, which have been audited and ordered to be paid, but which still remain outstanding and unpaid; and whereas it appears by the same report that there is an unexpended balance of the taxes collected for the last fiscal year in the hands of the County Treasurer of said County, amounting to sixty-eight dollars and forty-four cents; therefore,

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lexington County be, and they are hereby, authorized and empowered to draw their warrants upon the County Treasurer of said County for the said balance of sixty-eight dollars and forty-four cents, the same to be applied to the payment of the claims so audited, and now outstanding and unpaid as aforesaid, and that for the payment of the balance due on said claims, to wit:

Preamble.

County Commissioners to draw warrants to pay unpaid accounts of previous fiscal year.

A. D. 1875.

County Treasurer to pay same.

Seventy-one dollars and fifty-six cents, the said County Commissioners are hereby authorized and empowered to draw their warrants upon the said County Treasurer, who is hereby authorized to pay said warrants, first by applying thereto the said balance of sixty-eighty dollars and forty-four cents remaining in his hands and unexpended for the last year, and the remainder out of any taxes collected for the present fiscal year.

SEC. 2. That said County Commissioners and County Treasurer, in the discharge of the powers conferred on them by this Act, are hereby relieved from all the pains and penalties which might attach under the provisions of an Act entitled "An Act to regulate the manner in which public funds shall be disbursed by public officers," approved March 19, 1874.

Relieved from  
penalties im-  
posed by cer-  
tain Act.

Approved March 10, 1875.

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No. 710. AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1874.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and they are hereby, appropriated to the objects herein named, out of the proceeds of the tax of one and a quarter mills, levied in pursuance of Section 1 of an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1874," that is to say:

Appropriations for salaries and contingents.

1. For the salary of the Governor, thirty-five hundred dollars; for the salary of the Governor's Private Secretary, two thousand dollars; for the salary of the Governor's Messenger, five hundred dollars.

Salary of Lieutenant Governor.

2. For the salary of the Lieutenant Governor, twenty-five hundred dollars.

Secretary of State's office.

3. For the salary of the Secretary of State, three thousand dollars; for the salary of the Clerk of the Secretary of State,

Comptroller-General's office.

fifteen hundred dollars. 4. For the salary of the Comptroller General, three thousand dollars; for the salary of the Clerk of the Comptroller General, fifteen hundred dollars; for the salary of the Book-keeper of the Comptroller General, fifteen hundred dollars. 5.

Treasury office.

For the salary of the State Treasurer, twenty-five hundred dollars; for the salary of the Chief Clerk of the State Treasurer, eighteen hundred dollars; for the salary of the Book-keeper of the State

Adjutant and Inspector General's office.

Treasurer, fifteen hundred dollars. 6. For the salary of the Adjutant and Inspector General, twenty-five hundred dollars; for the salary of the Clerk of the Adjutant and Inspector General,

twelve hundred dollars. 7. For the salary of the State Superintendent of Education, twenty-five hundred dollars; for the salary of the Clerk of the State Superintendent of Education, one thousand dollars. 8. For the salary of the Attorney General, three thousand dollars; for the salary of the Clerk of the Attorney General, one thousand dollars. 9. For the salary of the Chief Justice of the Supreme Court, four thousand dollars; for the salaries of two Associate Justices, seven thousand dollars; for the Clerk of the Supreme Court, who shall perform the duties of Librarian of said Court, fifteen hundred dollars; for the State Reporter, fifteen hundred dollars; for an attendant upon the Library and rooms of the Supreme Court, (said attendant to be appointed by and removable at the pleasure of said Court,) three hundred dollars; for the purchase of books for the Library of the Supreme Court, five hundred dollars, to be paid on the order of the Chief Justice. 10. For the salaries of the eight Circuit Judges, twenty-eight thousand dollars; for the salary of the Judge of the Inferior Court of Charleston County, six hundred and twenty-five dollars; for the salaries of the eight Circuit Solicitors, eight thousand dollars. 11. For the salary of the Keeper of the State House and State Librarian, one thousand dollars; for the salaries of the two watchmen of the State House and Grounds, six hundred dollars each. 12. For the salary of the Superintendent of the State Lunatic Asylum, twenty-five hundred dollars; for the salary of the Superintendent of the State Penitentiary, two thousand dollars; for the salary of the Physician of the State Penitentiary, five hundred dollars. 13. For the salaries of the County Auditors, thirty-nine thousand seven hundred and fifty dollars; for additional compensation allowed County Auditors, from March 19, 1874, to October 31, 1874, inclusive, four thousand seven hundred and eighty dollars and seventy-five cents; for the Clerk of the Auditor of Charleston County, one thousand dollars; for the paintings of Abraham Lincoln and Charles Sumner, as authorized by the General Assembly, at its session of 1873-74, five thousand dollars, the same to be paid by the State Treasurer to the holder of the receipt of the said Treasurer for Joint Legislative pay certificate No. 86, which was issued by authority of the General Assembly during the session of 1873-74. 14. For the salaries of the County School Commissioners, thirty-two thousand two hundred dollars. 15. For the salaries of the Health Officers, five thousand one hundred dollars; for expenses of maintaining quarantine, two thousand dollars; for the salary of the Keeper of the Lazaretto, four hundred dollars. 16. For the contingent fund of the Governor, three thousand dollars; for the contingent fund of the State Treasurer, five hundred dollars; for the contingent fund of the Secretary of

A. D. 1875.  
State Superintendent of Education's office.

Attorney General's office  
Salaries, &c., Supreme Court.

Circuit Judges and Solicitors.

State Librarian and watchmen of State House.

Superintendents of Asylum and Penitentiary.

County Auditors.

Pictures of Lincoln and Sumner.

School Commissioners.

Health Officers, &c.

Contingent fund.

A. D. 1875.

Expenses of funding.

Auditors and Treasurers' books and blanks.

Contract to be awarded to lowest bidder.

School blanks.

Election expenses.

Repairing Armory.

Appropriations for public institutions.

Support and construction of Penitentiary.

Support of Lunatic Asylum.

State, five hundred dollars ; for the contingent fund of the Superintendent of Education, five hundred dollars ; for the contingent fund of the Comptroller General, five hundred dollars ; for the contingent fund of the Attorney General, five hundred dollars ; for the contingent fund of the Adjutant and Inspector General, five hundred dollars ; for the contingent fund of the State Librarian, two hundred and fifty dollars ; for the contingent expenses of the Supreme Court, five hundred dollars ; for expenses of litigation in the Attorney General's office, to be paid upon the warrant of the Comptroller General on application of the Attorney General, seven thousand five hundred dollars. 17. For expenses incurred under an Act to reduce the volume of the public debt and provide for the payment of the same, approved December 22, 1873, twenty-five hundred dollars, to be disbursed under the direction of the State Treasurer ; for printing

books and blanks for County Treasurers and Auditors, and other papers necessary to the collection of taxes, six thousand dollars, to be disbursed on the order of the Comptroller General, who is hereby authorized and required to advertise in one or more newspapers in each of the cities of Charleston and Columbia for proposals for furnishing the said books, blanks and other papers, and to award the contract therefor to the lowest responsible bidder ; for printing

blank forms for Free Common Schools, one thousand dollars, to be disbursed on the order of the State Superintendent of Education ; for expenses of general election, 1874, fifteen thousand dollars, to be paid *pro rata* among the different Counties ; for repairing and keeping

in good condition the State arms and Armory, five hundred dollars, to be paid upon the warrant of the Comptroller General, on the application of the Adjutant General.

SEC. 2. That the following sums, if so much be necessary, be, and they are hereby, appropriated, to be paid *pro rata* to the objects herein named out of the proceeds of the tax of one and a quarter mills levied in pursuance of Section 2 of the Act recited in Section

one (1) hereof, that is to say : 1. For the construction and support of the State Penitentiary, forty thousand dollars, of which sum thirteen thousand four hundred and sixty dollars shall be used for the payment of the guards and employees, and one thousand dollars for expenses of transportation and clothing of discharged convicts, to be paid on the warrant of the Comptroller General, on the application

of the Superintendent, approved by the Board of Directors. 2. For the support of the State Lunatic Asylum, seventy-five thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Superintendent, approved by the Board of Regents, ten thousand dollars of which shall be used for payment of the employees of the Asylum for the previous year: *Provided, further,*

That fifteen thousand dollars of which, if so much be necessary, be exclusively applied to the payment of salaries and wages of employees of said institution for the fiscal year commencing November 1, 1874. 3. For the support of the State Orphan Asylum, fifteen thousand dollars, to be paid in accordance with the law establishing the same.

A. D. 1875.

4. For the Catawba Indians, eight hundred dollars, payable on the warrant of the Comptroller General, on application of the Agent. 5.

State Orphan Asylum.

For the support of the University of South Carolina, forty-three thousand two hundred and fifty dollars, to be used as follows:

Catawba Indians.

For the salaries of Professors, twenty-one thousand four hundred and fifty dollars, as follows: For the salary of the Librarian, Treasurer, &c., fifteen hundred dollars; for the Professor of Natural and Mechanical Philosophy and Astronomy, two thousand dollars; for the Professor of Mathematics and Civil and Military Engineering, two thousand dollars; for the Professor of History, Political Philosophy and Political Economy, two thousand dollars; for the Professor of Rhetoric, Mineralogy and Geology, two thousand dollars; for the Professor of Criticism, Elocution and English Language and Literature, two thousand dollars; for the Professor of Chemistry, Pharmacy, of Ancient Languages and Literature, two thousand dollars; for the Professor of Mental and Moral Philosophy, two thousand dollars; for the Professor of Modern Languages and Literature, two thousand dollars; for the Professor of Physiology and Comparative Anatomy, two thousand dollars; for the Professor of Law, nineteen hundred and fifty dollars: *Provided*, That all persons who are not regular students in other schools of the University, who enter the School of Law, shall pay an entrance fee of fifty dollars, which fee shall be paid into the State Treasury, to be applied to the payment of outstanding claims against the Deaf, Dumb and Blind Asylum; for apparatus of the Department of Chemistry and Natural Philosophy, two hundred and fifty dollars each; for miscellaneous expenses, fifteen hundred dollars; for Beneficiary Scholarships in said University, twelve thousand eight hundred dollars, or so much thereof as may be necessary, to be paid in accordance with the law establishing the same; for the support of the Preparatory School of the University, three thousand dollars, to be paid on the warrant of the Comptroller General, on application of the Chairman of the Faculty of the University; for insurance and repairs of buildings, four thousand dollars, two thousand of which, if so much be necessary, to be used for repairs of Library, to be paid on the warrant of the Comptroller General, on application of the Secretary of the Board of Trustees. 6. For the support of the State Normal School, ten thousand dollars, to be paid on the warrant of the Comptroller General, upon application of the Board of Regents: *Provided*,

South Carolina University.

State Normal School.

A. D. 1875.

That three thousand dollars of the same, if so much be necessary, shall be used for the payment of liabilities incurred by the Regents of said Normal School during the fiscal year ending October 31, 1874. 7. For the payment of interest on the bonds of the State Agricultural College and Mechanics' Institute, ten thousand dollars, to

Preservation  
of records and  
preparation  
Journal House  
of Representa-  
tives.

be paid in accordance with the law establishing the same. 8. For putting up suitable cases in the office of the Clerk of the House of Representatives, for the preservation of the records in said office, and for the preparation and binding of manuscript Journals of the House of Representatives, to be deposited in the office of the Secretary of State, one thousand dollars, if so much be necessary, to be paid out of the phosphate royalty received for the present year, upon the order of the Clerk of the House, countersigned by the Comptroller General.

Expenses of  
printing.

SEC. 3. For the public printing, in accordance with the contract made with the Republican Printing Company, fifty thousand dollars, to be paid from the proceeds of tax of one-third of one mill, levied in pursuance of Section 5 of the Act recited in Section 1 hereof, and upon the certificates as now provided by law.

Support of  
public schools.

SEC. 4. That the sum of two hundred and forty thousand dollars, for the support and maintenance of public schools, be, and the same is hereby, appropriated out of the proceeds of two mills, levied in pursuance of Section 3 of the Act before recited in Section 1 hereof, and as much more as may be produced from the same;

How school  
funds to be ap-  
portioned.

and the State Superintendent of Education is hereby authorized and directed to apportion the amount so appropriated upon the basis of school attendance in the several Counties of the State for the scholastic year ending June 30, 1874; and the School Commissioners of the several Counties are hereby instructed to apportion the school funds of their respective Counties upon the basis of school attendance in the various school districts of their said Counties as aforesaid. 2. That the sum of ninety thousand dollars, for the payment of deficiencies of school claims and salaries of County School Commissioners, due prior to November 1, 1873, be, and the same is hereby, appropriated out of the proceeds of 3-4 mills levied in pursuance of Section 3 of the Act before recited in Section 1 hereof, and as much more as may be produced from the same:

Deficiency  
school claims.

*Provided*, That the past due salaries of the various County School Commissioners shall first be paid: *Provided, further*, That the State Superintendent of Education shall apportion the balance for the payment of the school claims in a *pro rata* manner, according to the amount due.

Interest on  
consolidation  
bonds and stock

SEC. 5. For the payment of the January and July interest upon the Consolidation Bonds and Certificates of Stock of the State,

issued under the provisions of the Act to reduce the volume of the public debt, such an amount as may be necessary of the proceeds of the two mill tax, levied in pursuance of Section 3 of said Act, the surplus, if any, arising from said tax, to be applied to the purchase of the said Consolidation Bonds and Certificates of Stock in accordance with the provisions of Section 7 of the above recited Act to reduce the volume of the public debt, approved December 22, 1873.

A. D. 1875.

Disposition  
of surplus.

SEC. 6. That the amounts appropriated for the payment of salaries in the first Section of this Act shall be payable quarterly, and the amounts appropriated for contingent funds as required, on the order of the Comptroller General, on application of the various officers entitled to receive the same: *Provided*, That the accounts and vouchers upon which such applications are made shall be filed with the Comptroller General before he issues his warrants on the State Treasurer for payment of the same.

Salaries pay-  
able quarterly.

Contingent  
funds, how to  
be drawn.

SEC. 7. That the moneys herein appropriated to be used as contingent funds, and for other purposes, by the various officers of the State Government, shall be duly accounted for by the said officers, who shall make a detailed statement of the disposition made thereof to the General Assembly at the next regular session, on or before December 1: *Provided*, That no officer authorized to make contracts, or draw funds from the said appropriations, shall expend, or make contracts expending, more than has been appropriated for any purpose by this Act, or any portion thereof: *Provided, further*, That the appropriations made under Section 1 of this Act shall be paid *pro rata* until it shall be ascertained that the levy and collections for said purpose is found to be sufficient to pay said appropriations in full.

Reports of  
disposition of  
same.

Salaries and  
contingents to  
be paid *pro rata*

SEC. 8. The moneys appropriated in Sections 1, 2, 3 and 4 of this Act shall not be paid out except for expenses incurred during the fiscal year commencing November 1, 1874, and ending October 31, 1875; and it is hereby made a felony for any officer to pay out any portion of the same otherwise than as herein provided for, and upon conviction thereof any officer so offending shall be punished as provided in Section 3 of an Act to regulate the manner in which public funds shall be disbursed by public officers, approved March 17, 1874.

Appropriation  
herein made  
applicable only  
to the fiscal  
year.

SEC. 9. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 10, 1875.

A. D. 1875. **AN ACT TO INCORPORATE THE TOWN OF RIDGEWAY, IN THE COUNTY OF FAIRFIELD.**  
 No. 711.

Invested with rights, &c., conferred on town of Ninety-Six.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the town of Ridgeway, in the County of Fairfield, be, and the same is hereby, incorporated; and that all the rights, powers and privileges now conferred upon the officers and citizens of the town of Ninety-Six, in this State, are hereby conferred on, and vested in, the officers and citizens of the town of Ridgeway.

**Officers.** SEC. 2. That the officers of said town shall consist of one Intendant and four Wardens, who shall be elected annually on the fourth Monday in March, and that R. S. Desportes, Moses James and A. F. Ruff are hereby appointed Managers to conduct and declare the first election for officers of said town.

**Managers of election.** SEC. 3. That the limits of said town shall extend one-half mile north and south, and one-fourth mile east and west from the Ridgeway Depot of the Charlotte, Columbia and Augusta Railroad.

**Corporate limits.** SEC. 4. That this Act shall take effect from and after its passage, and shall remain in force.

Approved March 10, 1875.

## No. 712.

**AN ACT TO CHARTER THE WALHALLA BANK.**

**Corporators.** **SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel Lovinggood, C. L. Reid, J. W. Stribling, R. A. Thompson, J. H. Sligh, J. J. Norton, C. E. Watson and W. C. Keith; together with such persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of "The Walhalla Bank," and by that name and style shall be, and is hereby, made capable in law to have, purchase, enjoy and retain to it and its successors, lands, rents, tenements, goods, chattels and effects of whatever kind or quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in Courts of record or any other place whatsoever, and have perpetual succession; to have and exercise the rights and privileges of other banking corporations now existing or that may hereafter be enacted; and also to make, have and use a common seal, and the same to break, alter and renew at pleasure,

**Corporate name.**

**General powers.** and by that name and style shall be, and is hereby, made capable in law to have, purchase, enjoy and retain to it and its successors, lands, rents, tenements, goods, chattels and effects of whatever kind

or quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in Courts of record or any other place whatsoever, and have perpetual succession; to have and exercise the rights and privileges of other banking corporations now existing or that may hereafter be enacted; and also to make, have and use a common seal, and the same to break, alter and renew at pleasure,

and also to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of the said corporation.

A. D. 1875.

SEC. 2. That the capital stock of the said corporation shall be twenty-five thousand dollars, to be divided into shares of one hundred dollars each, and may be increased, from time to time, to a sum not exceeding five hundred thousand dollars, as may be deemed necessary by the Board of Directors.

Capital stock.

SEC. 3. The persons named in the first Section of this Act shall be Directors of this company until others are appointed by the stockholders, and they may, as soon as proper, appoint a President from among their number, or from among others who may hereafter be associated with them; and the said President shall continue in office for the period of one year from the day of his election, or until his successor is appointed. In case of a vacancy in the office of Director or President, from any cause, the remaining Directors may elect others to supply their places until a meeting of the stockholders shall be held. There shall be five or more Directors, who, with the President, shall manage the affairs of the company. Three of said Directors shall constitute a quorum for any and all business purposes of the said company. The meetings of the stockholders shall be held in the principal office of the corporation, which shall be designated by the Board of Directors.

Officers of corporation.

SEC. 4. The President and Directors shall appoint such clerks and other officers as they may find necessary properly to conduct the business of the company, and allow them suitable compensation; all of which clerks and officers shall hold their places during the pleasure of said President and Directors.

Appointment of clerks, &amp;c.

SEC. 5. The President and Directors shall have power to appoint agents in any part of the State or elsewhere, and, at their discretion, may take from them bonds, with security, conditioned for the faithful performance of their duties; such agents being removable at the pleasure of the President, subject to the approval of the Board of Directors, or by the Board of Directors.

Agents.

SEC. 6. The mode of voting at the meetings of said company shall be one vote for each share of stock, and every stockholder may, at pleasure, by power of attorney or in person, assign or transfer his stock in the company, on the books of the same, or any part thereof, not being less than a whole share.

Manner of voting.

SEC. 7. The first annual meeting of the stockholders of the said company shall be on the second Wednesday in March, A. D. 1875, and thereafter on the same day in each year: *Provided*, The said stockholders, at any regular meeting, or a Board of Directors, may at any time change the day of said annual meeting; and the Presi-

Annual meetings.

A. D. 1875.

dent and Directors may at any time call a general meeting of the stockholders, and any number of stockholders, owning not less than one-third of the whole number of shares, may require the President to call such meeting, and, on his refusal to do so, may themselves call such meeting, in such case giving at least ten days' notice by publication in one or more newspapers published in the County of Oconee.

*Liability of members.* SEC. 8. The members of the company shall not be liable for any loss, damage or responsibility other than the property they have in the capital and funds of the company to the amount of shares held by them, respectively, and any profits arising therefrom not divided: *Provided*, That no Director or other officer of said corporation shall borrow any money from said corporation, and if any Director or other officer shall be convicted, upon indictment, of directly or indirectly violating this Section they shall be punished by fine or imprisonment, at the discretion of the Court.

*Officers not to borrow from corporation.* SEC. 9. That said corporation shall have power and authority to invest its capital stock or other funds in bank or other stocks, in the purchase of United States bonds, bonds issued by this or any other State of the United States, and in bonds of any incorporated company, to lend money on personal or real security, to discount bonds, notes and bills of exchange, and to guarantee the payment of notes, bonds and bills of exchange or other evidences of debt, and to use their property in any manner incidental to a banking, insurance and trust business, or the general business of the company.

*Insurance policies.* SEC. 10. All policies of insurance, and other contracts made by said company, signed by the President and countersigned by the Secretary, shall be obligatory on said company, and have the same effect as if attested by a corporate seal.

SEC. 11. This Act shall be in full force from and after its passage.

Approved March 10, 1875.

No. 713. AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO OPEN AND ESTABLISH A PUBLIC ROAD IN SAID COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and they are hereby, authorized and empowered to open, establish and keep in repair, a public road leading

from Marietta or some point above, up the west side of the North Saluda River, to intersect the Buncombe road at or near the crossing of said road over Terry's Creek.

A. D. 1875.

Approved March 10, 1875.

**AN ACT TO INCORPORATE THE PALMETTO OIL AND GREASE COMPANY, OF CHARLESTON COUNTY.** No. 714.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George Shrewsbury, John Hall, Joseph Parker, Aaron Logan, N. S. Robinson, John N. Gregg, John A. Mushington, T. H. Jones, J. L. Walker, C. C. Leslie, J. A. Godfrey, W. M. Gadsden; G. H. Dantzman, T. D. Smalls, John M. Freeman, Jr., H. Z. Burckmeyer, W. R. Jervay, S. E. Gaillard, E. G. Logan, T. A. Davis, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of the "Palmetto Oil and Grease Company, of Charleston County," for the purpose of manufacturing oil and grease from fish, or any other substance that oil or grease may be made from, and disposing of the same; and for the purpose of carrying on such other business as may be connected therewith, with a capital not to exceed sixty thousand dollars, to be divided in shares of ten dollars each.

Corporators.

Corporate name.

Objects.

SEC. 2. That said company shall have succession of officers and members, to be chosen according to the rules and by-laws made and to be made for their government and direction, and shall have power to make by-laws, not repugnant to the laws of the land, to make, have and use a common seal, and the same to alter at will, to sue and be sued in any Court in this State, to purchase and hold any lands, tenements or hereditaments, goods or chattels which may be necessary, connected with, or conducive to, the purposes for which said company is established.

General pow-  
ers.

SEC. 3. That this corporation shall enjoy all the privileges that are awarded, under the general laws of the State, to any corporation, together with the special privileges accorded by this charter.

SEC. 4. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the period of fourteen years.

Approved March 10, 1875.

A. D. 1875.  
No. 715.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT, RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED," AS RELATES TO THE VILLAGE OF ST. STEPHENS.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned," be amended by striking out so much as relates to the Commissioners of Election of Charleston County and their counting the votes and declaring who is elected, and the following be inserted in its stead: That on the fourth Monday in March, 1875, the following named persons shall conduct the first election under this Act, and perform all the duties of the Commissioners of Election, viz: J. M. Wilder, P. F. Sparkman and Thomas Jenkins; they shall make a statement of the election, and file the same with the Clerk of the Court of Charleston County, showing the number of votes each person got, and who is elected Intendant and Wardens of the said town, and furnish the persons so elected with a certificate of their election; after which all elections held in said town shall be conducted in accordance with the charter; and that instead of the first Section reading three-fourths of a mile, in each direction, it read one-half mile.

Managers of  
Election.

Duties.

Corporate  
limits.

Approved March 11, 1875.

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**No. 716. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF SUMTER.**

*SECTION 1.* *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor shall appoint, by and with the advice and consent of the Senate, five Trial Justices for the County of Sumter, and no more, two of whom shall be located within the town of Sumter, to hold their offices for the term of two years, unless sooner removed by the Governor.

*SEC. 2.* That, instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings, and heretofore payable to them by the County, each of said Trial Justices shall be allowed a salary of three hundred dollars per annum, except in the town of Sumter, where each of them shall be allowed a salary of five hun-

Trial Justices,  
number and  
term of office.

Salaries—  
amount—when  
and where  
payable.

A. D. 1875.

dred dollars per annum, payable quarterly, on the first day of January, April, July and October, in each year of the said term, by the County Treasurer of the said County, out of the County funds, and no account or claim, other than for such salary, shall be preferred by, allowed or paid to either of them by the said County on account of criminal proceedings.

SEC. 3. That the said Trial Justices for Sumter County are hereby required, on the first day of each and every month, to file with the Clerk of the Circuit Court of the said County a report, duly verified, of all costs charged and fines imposed in criminal cases and proceedings had before them; and immediately upon the filing of such report the said Trial Justices shall pay over to the County Treasurer of the said County the amount of such fees, costs and fines by them severally collected and recovered.

Monthly re-  
ports.

SEC. 4. That all the appointments of Trial Justices for the County of Sumter heretofore made shall cease and determine on and after the passage of this Act, and the Trial Justices provided for in this Act shall enter upon their duties.

Appoint-  
ments hereto-  
fore m ade—  
when to cease.

SEC. 5. That the Trial Justices appointed to serve outside of the town of Sumter may each appoint one Constable, and no more, to serve the processes of their respective Courts, removable at pleasure. The Constables so appointed shall each receive a salary of one hundred and fifty dollars per annum, to be paid at the times and in the manner provided by Section 2 of this Act. All processes and warrants issued by the said Trial Justices within the town of Sumter shall be executed by the Sheriff of said County: *Provided*, That the fees allowed the Sheriff shall not exceed the sum of three hundred dollars per annum.

Constables,  
number a n d  
salary.Sheriff to  
serve processes  
in t o w n of  
Sumter.

SEC. 6. That if either of the Trial Justices appointed for the County of Sumter shall neglect to attend to the duties of his office, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the costs and fines collected by him in his office, he shall be liable to indictment therefor, and, on conviction thereof, shall be liable to imprisonment for two years, or a fine of five hundred dollars, or both, within the discretion of the Court, and shall be removed from office.

Penalty for  
neglect of duty,  
&c.

SEC. 7. That the County Commissioners of Sumter County be, and are hereby, instructed to cause to be set aside, out of the County funds, a sum sufficient to pay the salaries of the officers herein provided for, the same to be paid quarterly; and failure on the part of the said Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty for which shall be fine or imprisonment, or both, as may be deemed best, in the judgment of the Court.

Salaries to be  
set aside.

A. D. 1875.  
Bond —  
 amount, and  
 by whom ap-  
 proved.

Reports to be  
 read in open  
 Court.

SEC. 8. The Trial Justices so appointed shall each give a bond of five hundred dollars, and each Constable a bond of two hundred dollars, with one or more sureties, for the faithful performance of their duties, the bond to be approved by the Judge of the Circuit Court of the said County.

SEC. 9. That the reports required to be made by Section 3 of this Act shall be read in open Court on the first day of the term of the Court of General Sessions after the appointment herein authorized, and on the first day of each term thereafter.

SEC. 10. That all Acts or parts of Acts inconsistent with this Act be, and they are hereby, repealed.

Approved March 11, 1875.

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No. 717. AN ACT PROVIDING FOR THE PAYMENT OF THE PAST DUE INDEBTEDNESS OF CHESTER COUNTY.

*Surplus tax applicable to past indebtedness.*

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the surplus of the one-half mill tax collected, or to be collected, under the provisions of an Act entitled "An Act for the relief of the widows and orphans of persons killed because of their political opinions," approved March 13, 1872, be devoted, so far as the County of Chester is concerned, to the payment of the certificates of jurors and Constables, issued at the September Terms, 1873 and 1874, of the Court of General Sessions of said County; after all of said certificates shall have been paid, said fund shall be applied as heretofore provided by law.

SEC. 2. That all Acts or parts of Acts conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 11, 1875.

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No. 718. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF GREENVILLE, AND FOR OTHER PURPOSES," AND AN ACT TO ALTER AND AMEND THE SAID ACT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to alter and amend the charter of the

town of Greenville, and for other purposes," be, and the same is hereby, amended by adding at the end thereof the following words, to wit: "And who shall hold their respective offices for the term of two years, and until their successors shall be duly elected and qualified."

A.D. 1875.  
Term of office.

SEC. 2. That Section 4 of the said Act be, and the same is hereby, amended by striking out the words, "September of each year," from the first line thereof, and inserting in place of the same the following words and figures, to wit: "August, 1875, and on the same day in every second year thereafter." Time of election.

SEC. 3. That Section 7 of the said Act be, and the same is hereby, amended by inserting between the word "them" and the word "all," on the sixth line thereof, the following words, to wit: "or before the said Mayor alone, in the absence of the said Aldermen, or before one of the said Aldermen, in the absence of said Mayor." Relative to trials.

SEC. 4. That Section 3 of an Act entitled "An Act to alter and amend an Act entitled 'An Act to alter and amend the charter of the city of Greenville, and for other purposes,'" approved March 23, 1869, be, and the same is hereby, amended, by inserting between the word "them," on the first line thereof, and the word "shall," on the second line thereof, the following words, to wit: "Or the said Mayor alone, in the absence of the said Aldermen, or by one of the said Aldermen, in the absence of the said Mayor;" by inserting between the word "city" and the word "and," on the fourth line thereof, the following words, to wit: "And when such person or persons so fined shall be unable to pay such fine, to sentence such person or persons to work on the streets of said city eight hours a day for a term not exceeding twenty days, under the direction and custody of the Marshals of the said city." Defaulters to work on street.

SEC. 5. That Section 4 of said last mentioned Act be, and the same is hereby, amended by striking out the word "alter," from the second line thereof, and inserting the word "close" in place of the same. "Close" inserted in lieu of "alter."

Approved March 11, 1875.

**AN ACT TO AMEND SECTION 1, CHAPTER CXXXVI OF PART IV OF THE REVISED STATUTES, RELATIVE TO OFFENSES AGAINST CIVIL RIGHTS.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D. 1875.

Forbidding discrimination on account of color, &c., in inns, taverns, &c., whether licensed or not.

and by the authority of the same, That Section 1 of Chapter CXXXVI of Part IV of the General Statutes, relative to offenses against civil rights, be, and the same is hereby, amended as follows: "It shall not be lawful for any common carriers or any party or parties engaged in any business, calling or pursuit, for the carrying on of which a license or charter is required by any law, municipal, State or Federal, or by any public rule or regulations, whether such party or parties have obtained such license or charter, or failed or neglected to obtain the same, or for any party or parties keeping an inn, restaurant or other place of accommodation or refreshment, whether a license or charter is required for the keeping of the same or otherwise, to discriminate between persons on account of race, color or previous condition, who shall make lawful application for the benefit of such business, calling or pursuit."

Approved March 11, 1875.

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No. 720. AN ACT TO AMEND SECTION 14 OF CHAPTER XLVII OF THE REVISED STATUTES OF SOUTH CAROLINA, RELATING TO FERRIES.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 14 of Chapter XLVII of the Revised Statutes of South Carolina be, and the same is hereby, amended so as to read, "if any person or persons, living

*Penalty for ferrying passengers across rivers within one mile of established ferry.* where any such established ferry shall be kept, the person taking any such fee, toll or reward shall forfeit and pay to the proprietor of the ferry next adjacent to the place where such fare was taken up, treble the value of the fee, toll or reward given or promised, to be recovered by warrant under the hand and seal of one Trial Justice, or be imprisoned in the County jail for a period not exceeding thirty days, any law, usage or custom to the contrary notwithstanding: *Provided, always,* That in case any passenger shall be detained more than half an hour at any such ferry, then any person living near such ferries may be at liberty to transport them, anything herein to the contrary notwithstanding."

Proviso.

Approved March 11, 1875.

**AN ACT TO ESTABLISH A FERRY ACROSS WACCAMAW RIVER,  
IN HORRY COUNTY, AND TO VEST THE SAME IN WM. L.  
BUCK & CO.**

A. D. 1875.  
No. 721.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered to reach across the Waccamaw River, in Horry County, at Greenwood Mill, and that the said ferry be vested in Wm. L. Buck & Co., for the term of ten years, and that the following rates of toll be charged and collected, and no more: For every four horse carriage or vehicle, one dollar; for every two horse carriage or vehicle, seventy-five cents; for every one horse carriage or vehicle, twenty-five cents; for every single horse and rider, ten cents; for every foot passenger, five cents; for every head of cattle, goats and hogs, five cents: *Provided*, That children going to and coming from school, and voters going to and returning from elections, militia going to and returning from muster, and clergymen, be passed free of toll.

Ferry char-  
tered.

In whom  
vested.

Rates of toll.

Approved March 11, 1875.

**AN ACT TO AMEND SECTION 2 OF AN ACT ENTITLED "AN ACT NO. 722.  
ACT TO REGULATE THE ISSUING OF CHECKS TO LABORERS  
UPON PLANTATIONS OR ELSEWHERE."**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to regulate the issuing of checks to laborers upon plantations or elsewhere," be, and the same is hereby, amended so as to read as follows: "Section 2. That if any person or persons, after the passage of this Act, shall offer to any laborer or employee, except as provided for in the preceding Section, as compensation for labor or services performed, checks or scrip of any description, known as plantation checks, payable at some future time, or in the shops or stores of the employers, in lieu of United States bank notes or fractional currency, the said person or persons so offending shall be liable to indictment and punishment, by a fine not exceeding two hundred dollars, or by imprisonment not exceeding one year, or both, according to the discretion of the Court: *Provided*, The word "checks" in this Act shall not be construed so as to prohibit the giving of checks upon any of the authorized banks of deposit or issue in this State."

Issuing of  
checks to la-  
borers unlaw-  
ful.

Penalty.

This provi-  
sion not appli-  
cable to Bank  
checks.

Approved March 11, 1875.

A. D. 1875.  
 No. 723.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND SECTION 2 OF CHAPTER XXV OF THE GENERAL STATUTES OF SOUTH CAROLINA."**

*Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend Section 2 of Chapter XXV of the General Statutes of South Carolina," approved January 25, 1873, be, and the same is hereby, amended by striking out, on the eleventh line thereof, the word "eight," and inserting in lieu thereof the word "six," two of whom shall be for and reside in the town of Georgetown ; also, on the eighth line of the said Section 1, after the word twenty-eight. "Charleston," strike out the words "twenty-four," and insert in lieu thereof the words "twenty-eight;" on line ten, after the word six. "Darlington," strike out the word "ten," and insert in lieu thereof the word "six;" on line twelve, after the word "Lexington," strike out the word "nine," and insert in lieu thereof the word "eleven."*

Approved March 13, 1875.

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**No. 724. AN ACT TO INCORPORATE THE TOWN OF REEVESVILLE, IN THE COUNTY OF COLLETON.**

*SECTION 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided sixty days in the town of Reevesville shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Reevesville, and its corporate limits shall extend one-half mile in every direction from the South Carolina Railroad Company's depot.*

*SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the first Monday in April, 1875, and on the same day of each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the*

Court of Common Pleas for Colleton County shall designate three suitable persons, citizens of said town, to act as Managers of Election, and that the Intendant and Wardens, for the time being, shall annually appoint Managers to conduct each ensuing election.

A. D. 1875.  
Managers.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted and now governing the town of Branchville. Invested with  
powers, &c.,  
conferred on  
town of  
Branchville.

SEC. 4. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 11, 1875.

**AN ACT TO ALTER AND AMEND THE CHARTER OF THE GERMAN RIFLE CLUB, OF CHARLESTON, AND TO RENEW AND EXTEND THE SAME.** No. 725.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the German Rifle Club, of Charleston, be, and the same is hereby, renewed and extended, with the rights and privileges and subject to the conditions hereinafter provided.

Charter re-newed.

SEC. 2. That the said corporation, under the name of the German Rifle Club, of Charleston, shall hereafter continue a body politic and corporate, and shall continue to have perpetual succession of officers and members according to its by-laws, and shall have power to make rules and by-laws not repugnant to the laws of the land, and to have and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded in any Court in this State, and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, acquired by it, and which may be given, bequeathed or devised to it, or may be acquired by purchase or in any other manner by said corporation.

Powers and  
privileges.

SEC. 3. That the said corporation may, from time to time, invest their funds, moneys, assets, and all other property which it may acquire, in such real or personal property, stocks, public or private, notes, bills, bonds, with or without security, by mortgage of real or personal property or by surety, in such sums and on such terms and conditions as it may deem proper; and it shall and may be lawful for said corporation, from time to time, and at all times, to sell, convey, mortgage, assign or transfer any or all of its property, real

Investment  
of funds.

A. D. 1875.

and personal, as and when it may deem proper and expedient, and to make and execute bonds, under the corporate seal, with or without mortgage of real or personal property.

*May open club barrooms, &c., during festival, without license.*

SEC. 4. That the said corporation is hereby authorized and entitled, without any further license, during their annual festival, to be held on their grounds near Charleston, to open club bar-rooms, billiard-rooms and ten-pin alleys, to and for their own pleasure and that of their guests; this privilege only being granted for and during the said festival.

*Liability of members.*

SEC. 5. That the members of the said Society hereby incorporated shall be individually liable for the debts of said corporation, each member to the extent of one year's annual arrears, which the said member may owe to the corporation, according to its by-laws, in the year in which he may be sued for said corporation debt, but such liability shall not attach until the corporation shall have been sued and *nulla bona* returned on execution in such suit.

SEC. 6. That this Act shall be taken and deemed a public Act, and shall be judicially taken notice of without being specially pleaded.

Approved March 11, 1875.

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No. 726. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A PUBLIC ROAD IN COLLETON COUNTY."

*Line of road changed.*

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to establish a public road in Colleton County," approved February 27, 1873, be, and the same is hereby, amended, by striking out the following words, occurring on the ninth and tenth lines thereof: "Cohen's Corner, the point of intersection of the Ashepoo Neck Road with the Combahee River," and inserting in lieu thereof the following words: "Green Pond Station, on the Savannah and Charleston Railroad."

Approved March 11, 1875.

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No. 727. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE REDEMPTION OF FORFEITED LANDS UPON CERTAIN CONDITIONS THEREIN MENTIONED."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-

A. D. 1875.

eral Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to provide for the redemption of forfeited lands upon certain conditions therein mentioned," approved February 13, 1874, be, and the same is hereby, amended so as to read as follows, viz: "That in all cases where lands have been forfeited to the State for the non-payment of taxes, and where the titles to said lands still remain in the State, the owners of said lands, or, if they be dead, their legal representatives or heirs-at-law, shall have the right, and they are hereby authorized, to redeem the same within twelve months from the time when said lands were forfeited, upon the payment of all taxes, costs and penalties due and owing upon the same; and the County Auditors of the several Counties where the said lands are situate, upon the payment of such taxes, costs and penalties within the time herein limited, shall expunge the said lands from the forfeited land record of their respective Counties: *Provided*, That if the owners of said lands, or, if they be dead, their heirs-at-law or legal representatives, shall fail, within the time limited, to redeem said forfeited lands, as hereinbefore prescribed, then any judgment creditor, mortgagee, or other person interested in said lands is hereby authorized to redeem said lands within three months after the expiration of the time limited for the owner or heirs of such person to redeem them, upon the same terms and with the same rights as are accorded in the provisions of this Act to owners, or, if they be dead, their legal heirs or representatives: *Provided, further*, That nothing in this Act shall prevent the owner or others interested in lands which have been heretofore forfeited to the State for a longer time than twelve months, and for which the State still holds the title, to redeem the said lands within twelve months from the ratification of this Act.

When forfeited lands may be redeemed, and on what terms.

When judgment creditor may redeem.

Proviso.

SEC. 2. That it shall be the duty of the County Auditor of each County, after the time shall have expired, as hereinbefore provided, for the redemption of lands which have been forfeited to the State for the non-payment of taxes, to give notice of the sale of the same by advertisement in at least one newspaper of the County in which the lands are situated, for thirty days prior to the sale, or, if there be no newspaper in the County, in one which has the largest circulation in said County at the time of such sale. And it shall be the duty of the County Treasurer of each County where such sale is made to attend and conduct such sale; and the payment of all expenses incurred by the advertisement of the lands sold, and the titles to be given for such lands, shall be paid by the party or parties purchasing the same: *Provided*, That such lands shall not be sold at a price less than the aggregate of taxes, costs, penalties, expenses of sale and making out titles on and for such lands.

Sale of forfeited lands not redeemed within twelve months.

Proviso.

A. D. 1875.

Moneys in excess of taxes, &c., to be a school fund.

SEC. 3. That all moneys accruing under the provisions of this Act, which shall be in excess of taxes, costs, penalties, or other expenses incurred, or claims upon the land due the State, shall be set apart and retained in the hands of the County Treasurer as a school fund for the County in which the forfeited lands have been sold, the said fund to be used for educational purposes only, to be appropriated according to the existing laws of the State.

Governor to issue patents.

SEC. 4. That after the purchase money shall have been fully paid, the Governor is authorized and required to cause a patent or patents to be issued to any such person or persons as may be the *bona fide* purchaser, owner, assignee or transferee of such lands or tenements, under and by virtue of any certificate of sale, or under and by virtue of assignment or transfer of such certificate: *Provided*, That in case of an assignment or transfer of a certificate of sale, the person applying for such patent shall give satisfactory proof of the said assignments or transfers to the County Treasurer of the County where the sale is made.

County Treasurer to report to General Assembly.

SEC. 5. That the County Treasurer of each County shall, on or before December 15th of each year, report to the General Assembly all lands sold under the provisions of this Act, the certificates of sale issued, as well as the amount of sales and the disposition of the funds so derived.

Disposition of moneys received for taxes, penalties, &c.

SEC. 6. That all moneys accruing to the State under the provisions of this Act, except as provided for in Section 3 for the school fund, shall be paid over and accounted for in the same manner as all other moneys received for taxes.

Excessive valuations, how to be remedied.

SEC. 7. That in all cases where excessive valuations have been charged upon lands forfeited to the State for the non-payment of taxes by the County and State Boards of Equalization, the Comptroller General shall have power, and he is hereby authorized and directed, to reduce the property so assessed to a fair valuation, upon receiving the petitions of the original owners, or their agents, setting forth such fact, approved by the respective County Auditors and County Boards of Equalization, asking for a reduction of the same: *Provided*, That the Comptroller General shall consider such petition reasonable, and the valuation of the property therein represented excessive.

Persons aggrieved to file petition with County Auditor.

SEC. 8. That all persons who desire to avail themselves of the provisions of Section 7 of this Act shall make such petition as is therein required to the County Auditor, at least three months before the time of the sale of forfeited lands, as hereinbefore provided; and the said County Auditors, after due consideration, examination and action upon such petitions, shall present the same to the County Board of Equalization of their respective Counties for approval or

disapproval, and without delay forward the same to the Comptroller General, who shall make such reduction as, in his discretion, is just and reasonable.

A. D. 1875.

SEC. 9. That in all cases of reduction of valuations upon forfeited lands made by the Comptroller General in accordance with the provisions of this Act, the Comptroller General shall have power to abate the taxes, costs and penalties upon the said lands which are in excess of what the taxes, costs and penalties would have been upon the said lands if levied and charged upon the valuation as by him reduced and determined.

Comptroller  
General may  
abate taxes, &c.  
on property re-  
duced in valua-  
tion.

SEC. 10. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 11, 1875.

**AN ACT TO INCORPORATE THE ASHLEY RIVER RAILROAD.** No. 728.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing a railroad from or near a station on the Savannah and Charleston Railroad, in Colleton County, known as "Ran-towle's," to or near a point on the Northeastern Railroad, six miles from the city of Charleston, with the privilege of crossing the South Carolina Railroad Company, and of connecting with the said road, and of extending it into the city of Charleston, which Company, when formed with the conditions herein prescribed, shall have corporate existence as a body politic in perpetuity.

Object of cor-  
poration.

SEC. 2. That this charter, with the, rights and privileges incidental thereto, is hereby granted to and vested in George I. Cunningham, A. C. Richmond, C. O. Witte, C. S. Gadsden, George S. Cameron, and A. F. Ravenel, and their associates, and the same shall be exempt from the operations of the forty-first Section of an Act entitled "An Act to incorporate certain villages, societies and companies," ratified the seventeenth day of December, A. D. 1841.

Corporators.

Exempt from  
provisions of  
certain Act.

SEC. 3. That for the purpose of raising the necessary capital stock of said company, it shall be lawful to open books of subscription, as may be deemed proper by the above corporators, to an amount not exceeding three hundred thousand dollars, (\$300,000,) in shares of one hundred dollars (\$100,) each, to constitute a joint capital stock for the purpose of constructing and carrying into operation the aforesaid road, or any part thereof; the time and place for receiving subscriptions shall be fixed by a majority of the corporators, and if

Books of sub-  
scription.

A. D. 1875.

they fail to do so, then by any three of them, upon their giving due notice of the same in any newspaper in the city of Charleston, which books of subscription shall be kept open for thirty days; that on each share of stock subscribed the said subscribers shall pay ten dollars to the corporators, who shall deposit the same in any National Bank, when fifty thousand dollars (\$50,000) are subscribed; the said corporators, or any three of them, shall give due notice in some public newspaper of the time and place for organization.

*When to be declared incorporated.* SEC. 4. Whenever the said sum of fifty thousand dollars (\$50,000) is subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, and shall have all the rights and privileges conferred upon the Northeastern Railroad Company, according to their original charter, each subscriber being entitled to a vote for each share of stock; (said charter was ratified December 16, A. D. 1851):

*Not exempt from taxation.* *Provided,* That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

*Proxies.* SEC. 5. At the first, and all other meetings of the said company, it shall be lawful for any stockholder to be represented by proxy, whose appointment shall be in writing, signed by such stockholder, but no person not a stockholder shall be such proxy. If the holders of a majority of the shares shall not attend in person, or be represented by proxy at the time and place appointed for any meeting, the stockholders present shall have authority to adjourn the meeting from time to time until a majority of the shares shall be represented; at the first meeting of the stockholders, and annually thereafter, at such time as may be appointed by the by-laws, they shall elect by ballot, to serve for one year, and until another election, a President and six Directors. No person shall be elected as President or Director who is not the owner of at least five shares.

*Subscriptions how payable.* SEC. 6. Subscriptions to the stock of the said company shall be payable by instalments, not exceeding twenty dollars per share, at such intervals and under such regulations as may be prescribed by the Board of Directors; due notice shall be given in any newspaper of the time of payment of each instalment; and in case any instalment on any share shall remain unpaid for the space of ninety days after the time appointed for the payment thereof, such

*Shares of defaulters to be forfeited.* share shall be liable to forfeiture, and the company may declare the same forfeited and vested in the company, but such forfeiture shall be deemed to discharge the defaulting stockholder from the obligation to pay the amount remaining unpaid on the forfeited share.

*Shares personal property.* The shares of the capital stock of said company shall be personal property, and shall be assignable and transferable in such manner and under such regulations as may be prescribed by the by-laws.

SEC. 7. The said company shall have the right to build bridges across navigable rivers and streams: *Provided*, They shall put in good and sufficient draws and shall construct necessary stations and turn-outs with one or more tracks of same gauge as that of the Northeastern Railroad.

SEC. 8. They shall have the right of selling out, leasing, renting, assigning and transferring all the franchises, rights and privileges hereinbefore granted, to any duly incorporated company in the State of South Carolina: *Provided*, Such sale, lease, rentings, assignments and transfers, shall have the consent in writing of three-fourths of the stock subscribed.

SEC. 9. The President and Directors of the said company shall have authority to carry into execution all the powers hereby granted to the company, subject to such limitation and restriction as may be imposed by the by-laws. There shall be at least one meeting of the stockholders annually at such time as may be appointed by the by-laws, at which the President and Directors shall make a report in writing of the affairs and condition of the company. Other meetings may be called by the President and Directors, whose duty it shall be to call a meeting of the company whenever it is demanded in writing by twenty stockholders having three hundred shares or more. It shall be lawful for the stockholders, at any meeting, to remove the President and Directors, or any of them, from office, and to elect others in their stead. The President and Directors shall have authority to draw out the money deposited in bank by the Commissioners for receiving subscriptions to the stock of the company.

SEC. 10. It is hereby provided that the said road shall be commenced within one year and completed within five years after the passage of this Act, or the charter thereof shall be forfeited: *And provided, further*, That said road shall be subject to the provisions of "An Act to declare the manner by which the lands or the right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," ratified September 22, A. D. 1868.

Approved March 11, 1875.

A. D. 1875.  
May build  
bridges, &c.

May sell or  
lease, &c., to  
any incorporat-  
ed company in  
State.

Powers of offi-  
cers.

Annual meet-  
ings.

Special meet-  
ings.

Right to re-  
move officers.

When road to  
be commenced  
and completed.

A. D. 1875. **AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF LAURENS COUNTY TO LEVY AND CAUSE TO BE COLLECTED A SPECIAL TAX OF THREE MILLS ON THE DOLLAR OF ALL TAXABLE PROPERTY OF SAID COUNTY.**

*Special tax  
of three mills.*

*When collect-  
able.*

*Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Laurens County be, and they are hereby, authorized and required to levy and cause to be collected a special tax of three mills on all the taxable property of said County. Said tax shall be levied and collected at the same time and in the same manner that the general State taxes for the fiscal year commencing 1st November, 1875, are collected, and shall be devoted exclusively to the payment of the past due indebtedness of said County of Laurens.*

Approved March 15, 1875.

**No. 730. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF CLARENDRON.**

*Trial Justi-  
ces. number  
and term of of-  
fice.*

*SECTION 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor shall appoint, by and with the advice and consent of the Senate, six Trial Justices for the County of Clarendon, and no more, one of whom shall reside at the town of Manning, and the others at*

*Where to re-  
side.*

*different and convenient portions of said County, to hold their offices for the term of two years, unless sooner removed by the Governor.*

*Salary, when  
and where pay-  
able.*

*SEC. 2. That instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings, and heretofore payable to them by the County, the said Trial Justice at Manning shall be allowed a salary of two hundred dollars per annum, and each of the other Trial Justices of said County the sum of one hundred dollars per annum, payable quarterly, on the first of January, April, July and October, by the County Treasurer of such County, out of County funds, and no account or claim other than for such salary shall be preferred by, allowed or paid to, any Trial Justice of said County by the said County on account of criminal proceedings.*

*Monthly re-  
ports.*

*SEC. 3. That the said Trial Justices for Clarendon County are hereby required, on the first Monday of each and every month, to file with the Clerk of the Circuit Court of said County a report, duly vér-*

fied, of all the fees and costs charged, and fines imposed in criminal cases and proceedings had before them, whether the same be charged and imposed against the defendant or against the party complaining, and immediately upon the filing of such report the said Trial Justices shall pay over to the County Treasurer of said County the amount of such fees, costs and fines by them severally collected and recovered.

SEC. 4. That all the appointments of Trial Justices for the County of Clarendon heretofore made shall cease and determine after appointments made under the provisions of this Act, and the Trial Justices provided for in this Act shall enter upon their duties immediately thereafter.

SEC. 5. That the Trial Justices appointed for Clarendon County may each appoint one Constable, and no more, to serve the processes of their respective Courts, removable at pleasure. The Constables so appointed shall receive an annual salary as follows: The Constable appointed by, and who serves, the Trial Justice at Manning, the sum of one hundred dollars, and each of the other Constables so to be appointed by the other Trial Justices outside of the town of Manning, the sum of seventy-five dollars; said salaries to be paid at the times and in the manner as provided by Section 2 of this Act.

SEC. 6. That if either of the Trial Justices appointed for the County of Clarendon shall neglect to attend to the duties of their office, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the fees and fines collected by him in his office, he shall be liable to indictment therefor, and on conviction shall be liable to imprisonment for two years, or a fine of five hundred dollars, or both, within the discretion of the Court, and shall be removed from office.

SEC. 7. That the County Commissioners of Clarendon County shall audit and cause to be set aside annually, out of the County funds, a sum sufficient to pay the salaries of the officers herein provided for, and failure on the part of the Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty of which shall be fine or imprisonment, as may be deemed best in the judgment of the Court.

SEC. 8. The Trial Justices so appointed shall each give a bond of five hundred dollars for the faithful performance of their duties, the bond to be approved by the Judge of the Third Circuit.

SEC. 9. That all Acts and parts of Acts inconsistent with the provisions of and for the purposes of this Act be, and the same are hereby, repealed.

Approved March 16, 1875.

A. D. 1875.

Appointments  
heretofore  
made, when to  
cease.

Constables,  
salary, &c.

Penalty for  
neglect of duty,  
extortion, &c.

Salaries to be  
set aside.

Bond, amount,  
and by whom  
approved.

A. D. 1875.  
 No. 731.

**AN ACT TO CHANGE THE NAMES OF WILLIAM GEORGE PALMER AND FRANCES CLEMENTINE PALMER, OF ANDERSON COUNTY, TO WILLIAM GEORGE GARRISON AND FRANCES CLEMENTINE GARRISON, AND MAKE THEM THE LAWFUL HEIRS OF HENRY GARRISON AND FRANCES GARRISON.**

W.G. Palmer,  
*et al.*, names  
 changed to  
 Garrison.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of William George Palmer and Frances Clementine Palmer, of Anderson County, be, and the same are hereby, changed to William George Garrison and Frances Clementine Garrison, and the said William George Garrison and Frances Clementine Garrison shall hereafter Legitimized. be deemed the lawful heirs of Henry Garrison and Frances Garrison, of the County of Anderson, State of South Carolina.

Approved March 17, 1875.

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No. 732. **AN ACT TO INCORPORATE THE TOWN OF CENTRAL, IN PICKENS COUNTY.**

Corporators.

Corporate limits.

Officers.

Election.

Electors.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are, or hereafter may be, inhabitants of the town of Central, shall be deemed, and are hereby declared, a body politic and corporate; and said town shall be called and known by the name of Central, and its limits shall be deemed and held to extend one-half a mile in each direction from the Air Line Railroad Depot at said place.

**SEC. 2.** That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April next, 1875, as well as on the first Monday in April of every year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town sixty days next preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice thereof, in writing, being previously given; and that all the male inhabitants of said town of the age of twenty-one years, who have resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from seven in the morning until six o'clock in the evening, when the poll shall be closed and the Managers shall count the votes and proclaim the election, and give

notice thereof to the persons elected ; and that the Intendant and Wardens for the time being shall appoint Managers to hold the ensuing election ; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of the State, and the following oath, to wit : " As Intendant (or Warden) of Central, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment : So help me God."

A. D. 1875.

Oath of office.

SEC. 3. That in case a vacancy shall occur in the office of the Intendant or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held, by appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' public notice thereof, as aforesaid, being given, and in case of sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

Vacancies.

SEC. 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices and Justices of the Peace in this State, in matters civil and criminal, within the limits of said town ; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Central ; and they and their successors in office shall have a common seal ; and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Marshals and Constables as they shall deem expedient and proper, which officers shall have all the powers, privileges and emoluments, and be subjected to all the duties, penalties and regulations, by the laws of the State, for the office of Constable ; and the Intendant and Wardens, in Council, shall have power and authority, under the corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting the streets, ways, public wells, springs of water, markets and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper ; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation ; but no fine shall exceed fifty dollars. All fines may be collected by an action for debt before a proper tribunal.

Judicial pow-  
ers.

Marshals.

SEC. 5. That the said Council shall have power to abate or remove nuisances within the limits of said town, and also to classify

Nuisances.

A. D. 1875.

and arrange the inhabitants liable to public duty, and require them to perform such duty as occasion may require, and enforce performance of the same under the same penalties as are now, or hereafter may be, established by law: *Provided, always, nevertheless,* That the said Town Council shall have power to compound with the persons liable to perform such duty, under such terms as they shall by ordinance establish.

*Roads and streets.* SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways in the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to the Commissioners of Roads within the limits of said town; and for neglect of duty they shall be liable to the same pains and penalties imposed by law upon Commissioners of Roads for like neglect; and they are hereby individually exempt from the performance of road and public duty; and the inhabitants of said town are hereby exempt from road duty without the limits of said corporation.

*May compound with persons liable to road duty.* SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on the said streets and ways, and to release such persons as may desire it, upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the use of the corporation.

*May hold and convey property.* SEC. 8. That the said Town Council of Central shall also be empowered to retain, possess and enjoy all such property as they may be possessed of or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them, and to sell, alien, or in any way transfer the same, or any part thereof: *Provided,* The amount of property so held, or stock invested, shall in no case exceed the sum of twenty thousand dollars.

*Annual tax.* SEC. 9. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided,* Said tax does not exceed the sum of fifteen cents on the one hundred dollars.

*Sales at auction.* SEC. 10. That the Intendant and Wardens of the said town of Central shall have power to regulate sales at auction within the limits of said town, and grant licenses to auctioneers: *Provided,* That nothing herein contained shall extend to sales by or for Sheriffs, Clerks of Courts, Judge of Probate, Coroners, Executors, Administrators, Assignees, or by any other person under the order of any Court or Magistrate.

*Sidewalks.* SEC. 11. That the Intendant and Wardens shall have power and authority to require all persons owning a lot or lots in the said town of Central to keep in repair the sidewalks adjacent to their lots,

respectively, and for default in this matter shall have power and authority to impose a fine not exceeding four dollars.

A. D. 1875.

Licenses.

SEC. 12. That the authority to refuse or grant licenses to keep a tavern, or retail intoxicating drinks, be, and the same is hereby, vested in the Town Council of Central; and that they be also invested with all the necessary power, by ordinance or ordinances, to suppress or regulate intoxicating drinks, to be drank at the place where sold, or in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons, kitchens, stores, shops, public buildings, stalls or out-houses of the said town, or within half a mile of the Atlanta and Richmond Air Line Railroad depot in said town: *Provided*, No rule or regulation shall be made inconsistent with the Constitution and laws of the State.

SEC. 13. For the purpose of holding the first election under this Act the Clerk of the Court of Common Pleas of Pickens County shall designate three suitable persons, citizens of said town, to act as managers of the election, and said managers, so appointed, shall give at least ten days' previous notice of said election.

Managers of  
first election.

SEC. 14. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 17, 1875.

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**AN ACT TO CONFER THE RIGHTS OF LEGITIMACY ON CERTAIN CHILDREN HEREIN MENTIONED. No. 733.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Caroline Kemp Moody and Anna Dora Moody, children of John A. Moody and Elizabeth Moody, be, and they are hereby, invested with all the rights and privileges of legitimate children, in the same manner, and to the same extent, as if they had been born in lawful wedlock.

Caroline K.  
and Anna D.  
Moody legit-  
mized.

Approved March 17, 1875.

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**AN ACT TO ALTER AND AMEND SECTION 148 OF CHAPTER CXXII OF TITLE V, PART III, OF THE GENERAL STATUTES OF THE STATE OF SOUTH CAROLINA, RELATING TO THE TRIAL OF CIVIL ACTIONS. No. 734.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D. 1875. and by the authority of the same, That Section 148 of Chapter CXXII of Title V, Part III, of the General Statutes of the State of South Carolina, be, and the same is hereby, altered and amended so as to read as follows: "In all other cases the action shall be tried in the County in which the defendant resides at the time of the commencement of the action; and, if there be more than one defendant, then the action may be tried in any County in which one or more of the defendants to such action reside at the time of the commencement of the action, or if none of the parties shall reside in the State, the same may be tried in any County which the plaintiff shall designate in his complaint, subject, however, to the power of the Court to change the place of trial in the cases provided by statute."

Action, where  
to be tried.

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Approved March 17, 1875.

No. 735. AN ACT TO AMEND THE CHARTER OF THE HOME INSURANCE COMPANY, OF CHARLESTON.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act approved February 26, 1869, entitled "An Act to incorporate the Home Insurance Company, of Charleston," be so amended that in all elections and other corporate acts done by the stockholders of the said company, every stockholder shall be entitled to one vote for each share owned by him or her, or standing in his or her name, and that any provisions of the said Act inconsistent therewith be, and the same is hereby, repealed.

Relative to  
manner of vot-  
ing.

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Approved March 17, 1875.

No. 736. AN ACT TO AMEND THE CHARTER OF THE MOUNT PLEASANT AND SULLIVAN'S ISLAND FERRY COMPANY.

Preamble. Whereas the capital of the Mount Pleasant and Sullivan's Island Ferry Company, under the provisions of their charter, has been fixed at eighty thousand dollars; and whereas the said company has presented its petition showing that the actual value of its property is not more than forty thousand dollars, and praying thereupon that its capital be reduced to this extent:

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That the Board of Directors of the said Mount Pleasant and Sullivan's Island Ferry Company be, and they are hereby, required to consolidate the shares of the said company by calling in their said shares, and by issuing one share of the par value of fifty dollars for every one of their present shares, so that the capital of said company shall be reduced from eighty thousand dollars to forty thousand dollars.

A. D. 1875.  
Consolidation  
of shares.

SEC. 2. That the said Board of Directors are hereby further authorized and empowered, from time to time, to open books of subscription for the purpose of increasing the capital stock of said company, and from time to time to issue shares of the par value of fifty dollars each for such subscription : *Provided*, That the capital of said company shall not exceed two hundred thousand dollars.

Books of sub-  
scription to in-  
crease capital  
stock.

SEC. 3. That each stockholder in the said company shall be liable to the creditors thereof to an amount not exceeding ten (10) per cent. of the par value of the shares held by such stockholder during the time the debt was contracted, over and above the value of the said shares.

Liability of  
stockholders.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 17, 1875.

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**AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF NEWBERRY COUNTY TO LEVY AND COLLECT ONE AND ONE-HALF (1½) MILLS ON THE DOLLAR, AND OTHER MATTERS THEREIN MENTIONED.**

No. 737.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Newberry be, and they are hereby, authorized and required to levy and have collected, in the same manner, and at the same time the general tax for said County is levied and collected, a special tax of one and a half (1½) mills upon the dollar of all the taxable property of said County for each successive year until the past indebtedness of said County is paid, to be applied, *pro rata*, to the past due indebtedness of the County of Newberry, contracted prior to the first day of November, A. D. 1874, as hereinafter provided: *Provided*, That all persons holding claims against the said County which have not already been registered at the County Commissioners' office shall be, and are hereby, required to

Special tax 1½  
mills.

Registry of  
claims.

A. D. 1875.

file a list of the same, with the amounts and dates thereof, in the office of the County Commissioners within ninety days after the passage of this Act: *Provided, further,* That due notice shall be given by publication in one or more newspapers of the County, to be at least three issues thereof, of the opening of a book of registry for such purpose by the County Commissioners.

Disposition of tax.

SEC. 2. That the County Treasurer of Newberry County shall devote the proceeds of such special tax to the payment of all claims registered as hereinbefore provided; and should the amount of such special tax, collected in the first year after the passage of this Act, be insufficient to pay the entire indebtedness of the said County,

When to be paid *pro rata.*

then the County Treasurer of said County shall pay out the same *pro rata*, and continue the same from year to year until the whole amount of such indebtedness shall have been paid, endorsing each partial payment on each claim presented, which shall have the word "registered," with the date of registration, written across the face of the same, in red ink, over the signature of the Clerk of the Board of County Commissioners; and the party receiving such partial payment shall receipt to said Treasurer for each partial payment, the said receipt to be kept and filed by said Treasurer as his voucher.

Method of payment.

SEC. 3. That when the final payment upon each claim shall have been made and endorsed upon such claim the said claim shall be taken by the County Treasurer in addition to the receipt for such final payment from the party receiving such payment, and the said Treasurer shall return the same to the County Commissioners of Newberry County, which shall be kept on file in their office with the papers to be known as the "Newberry County debt papers."

Disposition of same.

SEC. 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 17, 1875.

**No. 738. AN ACT TO AMEND AND RENEW THE CHARTER OF THE TOWN OF ABBEVILLE.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act all and every person and persons whatsoever, who are constitutionally qualified to vote for members of the Legislature of this State, and who may have resided within the corporate limits of the town of Abbeville sixty

days, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

A. D. 1875.

SEC. 2. That the said persons and their successors shall, from and after the passage of this Act, be and become a body politic and corporate, and shall be known and called by the name of the town of Abbeville, and its corporate limits shall extend one mile and a quarter in the direction of the cardinal points from the Court House in said town as a centre, and form a square.

Corporate limits.

SEC. 3. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday of September in each year, two weeks' notice being previously given, and shall continue in office for one year, and until the election and qualification of their successors, and that all male inhabitants of said town, who shall have attained the age of twenty-one, and resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens.

Officers.

SEC. 4. That the election of Intendant and Wardens of the said town shall be held in some convenient public place in said town, to be designated in the notice of election, from six o'clock in the morning until six o'clock in the afternoon, and when the polls shall be closed the Managers shall forthwith count the votes and proclaim the election, and give notice in writing to the persons elected. The Intendant and Wardens, for the time being, shall always appoint three (3) Managers to conduct said election, who, before they open the polls for said election, shall take an oath fairly and impartially to conduct the same; and the Intendant and Wardens,

Electors.

before entering upon the duties of their office, shall, respectively, take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Abbeville, I will equally and impartially, to the best of my ability, execute the trust reposed in me, and will faithfully perform the duties thereof: So help me God." The Intendant's term of office shall continue until his successor shall have been sworn, and the Wardens' term of office shall continue until the election of their successors shall have been declared, and until one of those successors shall have been sworn, when the Intendant and the successors so sworn shall determine which of said Wardens shall be thereby displaced, and so on until the whole of the successors shall have been sworn. In case any person elected Intendant or Warden should refuse to be sworn, or an election should fail to be made on the second Monday of September, a special election shall be ordered by the Intendant and Wardens, to be held as aforesaid, after five days' notice, and any vacancy in the office of Intendant or Wardens, occasioned by death, resignation, removal from the town, or removal

Oath of office.

A. D. 1875.

from office, may be filled by a like special election for the remainder of the term. And the Wardens, met in Council, shall have power, by electing one of themselves Intendant, to supply the place of the Intendant, in case of his temporary absence from Council, until his return, or in case of vacancy in the office, until an Intendant shall have been elected and sworn.'

## Judicial powers.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of office, severally and respectively, be vested with all the powers of Trial Justices or other inferior Courts in this State, except the trial of civil causes within the limits of said town; and the Intendant shall and may, as often as may be necessary, summon the Wardens to meet in Council, any three of whom may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Abbeville; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances, may sue and be sued, may plead and be impleaded, in any Court in this State. They shall have power to abate and remove nuisances within the limits of the corporation, and under its corporate seal to enact all such ordinances as may be necessary to regulate the practice of the Council, and all such ordinances respecting the streets, ways, lots, fences, markets and police of the said town, or for preserving cleanliness, health, peace, order and good government within the same, and to prevent the violation of its ordinances by ordering fines, penalties and imprisonment for the violation thereof: *Provided*, That no fine shall exceed thirty dollars for any one offense, and no imprisonment shall exceed thirty days.

### Nuisances.

### Road and street duty.

Trials

SEC. 6. When any offense against the ordinances of the said town is charged, for which a fine of more than twenty dollars is ordained, the said charges shall be heard and determined in an action of debt, to be brought in the name of the Town Council for the recovery of said fine before a Court having jurisdiction of causes of action of that amount for Abbeville County; if the fine ordained may, according to discretion, be above or below twenty dollars, or the offense be one for which imprisonment is ordained, the Council may, according to its opinion of the case, try the offender, and inflict a fine less than twenty dollars or imprisonment not exceeding twenty days, or, in lieu of imprisonment, to hard work on the public streets, at the rate of one day for each one dollar of fine, or may direct proceedings in the Court of Sessions for said County. In all cases of trials to be had before the said Town Council, the party charged shall be cited to trial by a service upon him of a summons, under the hand of the Intendant or any one of the Wardens, wherein shall be expressed, with certainty, the offense charged and

A. D. 1875.

the time and place of trial, which service shall be made at least five days before the day of trial; and all persons so charged may be required to give bond with security for their appearance to answer said charge, or be kept in confinement until the day appointed for trial.

SEC. 7. That all fines imposed by the said Town Council for any violation of ordinances, or any default in the performance of street duty, shall be collected by *fieri facias*, and the said Town Council shall have power to procure and compel the attendance of witnesses by process similar to that which by law Magistrates or Trial Justices may use in the trial of small and mean causes.

Fines.

SEC. 8. That the Intendant and Wardens of said town shall have full and only power to grant or refuse licenses for billiard tables, ten pin alleys, and to keep taverns, or retail spirituous liquors within the said limits, which licenses shall be granted in the same manner and upon the same condition as they now are, or may hereafter be, under the laws of the State; and all the powers vested in the County Commissioners are hereby granted to the said Intendant and Wardens, within the said limits, and all moneys paid for licenses, fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables, and ten pin alleys within said limits without licenses, shall be appropriated to the public uses of the said corporation: *Provided*, That the Intendant and Wardens duly elected and qualified shall not have power to grant any licenses to keep a tavern or to retail spirituous liquors to extend beyond the first of January after the expiration of the term for which they shall have been elected.

Licenses.

SEC. 9. That it shall be the duty of the said Intendant and Wardens to keep all roads, streets and ways within their corporate limits open and in good repair, and for that purpose they are invested with all the powers granted to the County Commissioners; and they shall also have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as they shall by ordinance establish, the money so received to be applied to the public use of the said corporation, and all persons refusing or failing to pay such commutation shall be liable to such fines and penalties as the said Town Council may impose; and no person residing within the said limits shall be liable to work on any road or bridge without the said limits, or be taxed or assessed for the same.

Roads and  
streets, &c.

SEC. 10. That the Intendant and Wardens shall also have power to require license fees from itinerant peddlers and auctioneers selling at public auction, and to collect licenses from all persons representing publicly within the corporate limits for gain or reward any plays or shows of what nature or kind soever, to be used for the

A. D. 1875.  
Annual tax.

purposes of said corporation ; they shall also have power to impose an annual tax not to exceed the rates per centum or sums herein-after specified upon the following property, and after the following manner, that is to say : twenty cents on every hundred dollars of the cash value of all real and personal estate, (the real estate of all churches and school associations excepted,) which valuation shall be ascertained and fixed by the Town Council for the time being : *Provided*, That if the owner of any real estate shall consider himself aggrieved by such valuation, he shall have the right to appeal to a special jury of five freeholders, to be drawn by ballot from the list of persons who own real estate and are residents within said corporation, to whom the matter shall be submitted, and whose decision shall be final ; fifty cents on each dog.

Returns of property.

SEC. 11. That the owners of all property upon which a tax is herein authorized to be levied shall make their returns upon oath to the Town Council of the amount or value thereof, as the case may be, during the month of January, in each year, and pay the taxes thereon by the first day of March next ensuing, the rate of taxes to be imposed under this Act to be fixed and adopted by the said Town Council by ordinances during the month of January of each year.

Executions.

SEC. 12. That the said Town Council shall have power to enforce the payment of all taxes and assessments levied under the authority of this Act against the property and persons of defaulters to the same extent and in the same manner as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation and directed to the Town Marshal or other persons especially appointed by the Council to collect the same, the money so collected to be applied to the public uses of the said corporation ; and all property upon which a tax shall be levied and assessed is hereby declared and made liable for the payment thereof in preference to other debts due by the person owning the property at the time of the assessments, except debts due the State, which shall be first paid ; and that each Town Council shall, on the first day of September, previous to the expiration of their term of office, make out and file in the office of the Clerk of the County a full exhibit of their receipts and expenditures, and furnish to their successors, when elected and qualified, a copy thereof, and shall, within one month after the expiration of their term of office, pay over all moneys in their hands belonging to the corporation, and deliver up all books, papers and other records incident to office to their successors, and on failure to do so shall be liable to the punishment prescribed in the fourteenth Section of this Act.

SEC. 13. That the Intendant and Wardens shall have power, and are hereby authorized, to elect or appoint one or more Town Marshals, who shall be sworn in and invested with all powers Constables now have by law, and whose jurisdiction and authority shall be confined to the corporate limits of said town; and the Intendant and Wardens, or any one or more of them, are hereby authorized to require the Marshal of said town, or any special Constable appointed by said Intendant and Wardens for that purpose, to commit to the Jail of Abbeville County or other secure place of custody, for a time not exceeding twenty-four hours, any person who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town or any of them; and all persons so imprisoned shall pay all costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided by this Act for the collection of fines imposed for violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine which the Council may impose for the offense for which he may have been committed.

A. D. 1875.  
Marshals.

SEC. 14. That for willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, severally, shall be liable to indictment in the Court of Sessions, and, upon conviction, to imprisonment and fine not exceeding one hundred dollars, or imprisonment not exceeding sixty days, or both, at the discretion of the Court, besides being liable for damages to any person injured.

Penalty for  
neglect, &c.

SEC. 15. That this Act shall be a public Act, and continue in force for twenty years, and until the end of the Session of the Legislature then next ensuing, and that all Acts and parts of Acts heretofore passed inconsistent with or repugnant to, this Act, be, and the same are hereby, repealed.

Approved March 17, 1875.

**AN ACT TO CONFER THE RIGHTS OF LEGITIMACY UPON WILLIAM NO. 739.  
H. PRUIT, OF ANDERSON COUNTY, SOUTH CAROLINA.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William H. Pruitt, son of Joshua Pruitt and R. E. Pruitt, of the County of Anderson, born out

W. H. Pruitt  
legitimized.

A. D. 1875.

of wedlock, be, and he is hereby, invested with all the rights and privileges of a legitimate child, in the same manner, and to the same extent, as if he had been born in lawful wedlock; and upon the death of his said father, Joshua Pruitt, (provided he should die intestate,) he, the said William H. Pruitt, shall inherit the property of his said father in common with his other legal heirs.

Approved March 17, 1875.

No. 740. AN ACT TO AUTHORIZE THE FAYETTEVILLE AND FLORENCE RAILROAD COMPANY TO EXTEND THEIR ROAD FROM THE NORTH CAROLINA LINE, NEAR MCINNIS' BRIDGE, TO FLORENCE, IN THIS STATE, AND FOR OTHER PURPOSES.

*SECTION 1.* Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Fayetteville and Florence Railroad Company, a corporation duly authorized and existing under and by virtue of the laws of the State of North Carolina, is hereby fully authorized and permitted to construct a railroad from a point on the North Carolina line, where the survey and location of said company's road terminates, near McInnis' Bridge, to Florence, in the State of South Carolina, and to operate and manage the same, or any part thereof, when so constructed.

*Line of road.* Books of subscription. SEC. 2. That for the purpose of raising the means to construct said road, and to equip and operate the same, the said company may open books of subscription in this State to the capital stock thereof, at such time, in such places, in such manner, and under the supervision of such persons as the President and Directors of said company may authorize, and to close and re-open the same at pleasure, until the amount required to construct, equip and successfully operate the same, has been obtained.

*General powers.* SEC. 3. That the Fayetteville and Florence Railroad Company shall be capable, in this State, of purchasing, holding, selling, leasing and conveying estates, real, personal and mixed, and of acquiring the same by deed, gift, devise, or otherwise, so far as shall be in accordance with the object and intent of this Act, and shall have perpetual succession, and, by their corporate name, sue and be sued, plead and be impleaded in all the Courts of this State, and may have and use a common seal, which may be altered or renewed at pleasure, and shall have and enjoy all other rights and immunities which other railroad companies may and of right do exercise, and may make all such by-laws and regulations as are necessary for the

government of said corporation, or affecting the object for which it is created, not inconsistent with the Constitution and laws of this State.

SEC. 4. That said company shall be duly authorized to collect all the stock subscribed for, upon the terms and conditions, and at the time and in the manner agreed upon between the subscriber and the company at the time of making the subscription. The company may at any time after giving thirty days' notice in one or more newspapers published in the vicinity of the line of road, sell the stock of any delinquent subscriber, and in case said stock does not produce a sufficient amount to pay the subscription, or any balance thereof unpaid, then the company may recover in an action such deficiency from the subscriber, in any Court of competent jurisdiction. No stock shall be transferred until the same shall have been fully paid or secured to be paid to the satisfaction of the company.

SEC. 5. That said company, to aid in the construction, equipment and operation of its road, may borrow money on the credit of the company and on the mortgage of its charter, franchises and works, or any part thereof; and the manner in which the same may be done shall be directed by the stockholders, or by the President and Directors of said company, under the authority of the stockholders.

SEC. 6. That said company may begin the construction of said road at any point that it may determine, and shall have the power of using any portion of the road constructed by them before the whole is constructed, and may charge for transportation thereon.

SEC. 7. That said company shall have the right, when necessary, to construct said road across or alongside of any public road: *Provided*, That said company shall not obstruct the public highway until they have constructed as good a road, and as near the old one as practicable.

SEC. 8. That when any lands or right of way may be required by said company within the limits of this State for the purpose of constructing said road, buildings, warehouses, water stations, workshops and repositories, or for any materials or other necessary grounds for buildings or works for the use of said company, and, for want of agreement as to the value thereof, or from any other cause, the same cannot be purchased, the same may be taken at an assessed valuation, to be made by a jury, in the manner directed and provided in an Act entitled "An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," approved 22d day of September, A. D. 1868, for ascertaining the compensation for right of

A. D. 1875.

*May enforce payment of subscriptions.*

*May borrow money, &c.*

*When may begin construction of r. w.*

*May construct road alongside public road.*

*Right of way.*

A. D. 1875.

way: *Provided*, That the right of condemnation shall not authorize the taking of more than eighty feet on each side of the centre line of the road-bed, except when the necessities of the company shall require more, and to the taking of more than ten acres at any one place or station for sites of workshops, depots, or other necessary buildings: *And provided*, That said company shall not invade the yard, garden or graveyard of any person without permission.

*Exclusive right.* SEC. 9. That said company shall have the exclusive right and privilege of conveyance of persons and freights over said railroad, at charges to be fixed by the company.

*Counties, cities and towns may subscribe to stock.* SEC. 10. That the authorities of any incorporated city or town in this State, or of any County, or any other corporation within or without this State, shall have full power and authority to subscribe to the stock of said company, purchase or guarantee its securities and contracts to such an amount as they may be duly authorized by the inhabitants of the cities, towns and Counties, or the constituted authorities of any other corporations, and may borrow money and may issue evidences of debt upon such terms and conditions as they may be authorized, to pay or secure such purchases or guarantees, and may levy and collect taxes to pay the same: *Provided*, That no subscription to the stock of said company or guarantee of its securities and contracts shall be made, or money borrowed, or evidences of indebtedness issued, or taxes levied and collected to pay the same by the authorities of any County, city, town or village in this State, for any amount in excess of five per centum of the assessed value of the taxable property of such County, city, town or village, without the approval of a majority of the legal voters of such County, city, town or village expressed at an election duly held for such purpose according to law.

SEC. 11. This Act shall be in force from and after its passage.

Approved March 17, 1875.

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No. 741. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-CHAR-  
TER WHITE HALL FERRY, IN BEAUFORT COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to

*Rates of toll for children.* re-charter White Hall Ferry, in Beaufort County," be, and the same is hereby, amended, by inserting between the word "cents" and the word "and," on the tenth line of Section 1 thereof, the following

words, to wit: "Except children under fifteen years of age, for whom the rate of toll shall be five cents each." That all children under eight years shall pass without any charge whatever.

A. D. 1875.  
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Approved March 17, 1875.

**AN ACT TO EXTEND THE TERMS OF A CHARTER TO INCORPORATE THE TOWN OF WOODRUFF.** No. 742.

Whereas the General Assembly of South Carolina did pass an Act entitled "An Act to incorporate the town of Woodruff, in the County of Spartanburg," approved March 14, 1874; and whereas Section 2 of said Act provides for the election of an Intendant and six Wardens, which election was ordered to be held on the second Monday in May, 1874, under the management of A. B. Woodruff, Dr. D. D. Westmoreland, N. B. Davis, A. D. Chamblin and Jesse Leatherwood; and whereas said election was not held at the time above specified, from the fact that said Managers were not apprised of the terms and conditions of this Act until the time appointed for the holding of said election had passed by, thus rendering the remaining portion of said Act of doubtful validity; therefore,

Preamble.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Managers named in said Act, substituting the name of B. E. Fowler for N. B. Davis, who has since died, be, and the same are hereby, authorized and empowered to appoint some suitable day, and after having given public notice thereof, at least ten days beforehand, hold said election, conforming in all other respects to the requirements of the Act before mentioned; and that said Act be and remain of full force and virtue in all other respects.

Election.

Validating  
previous char-  
ter of town.

Approved March 17, 1875.

**AN ACT TO AUTHORIZE THE CHARLESTON, SOUTH CAROLINA, MINING AND MANUFACTURING COMPANY TO CONSTRUCT A PRIVATE RAILROAD FROM THE PLANTATION KNOWN AS "MAGNOLIA," ON THE ASHLEY RIVER, ALONGSIDE OF THE ST. ANDREW'S ROAD, ON THE EAST, TO THE BEE'S FERRY ROAD, OR TO SOME INTERMEDIATE POINT.** No. 743.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D. 1875.  
Line of road.

Not to interfere with public.

How to be operated.

and by the authority of the same, That the Charleston, South Carolina, Mining and Manufacturing Company is hereby authorized to construct a railroad or tramway from their plantation, on the Ashley River, in St. Andrew's Parish, known as "Magnolia," to the Bee's Ferry Road, or to some intermediate point, and for that purpose to lay their track along and across any public highway: *Provided*, That such precautions are taken as to offer no hindrance to the public use of such way: *And provided, further*, That the said company keep in good order, at its own expense, the public road alongside of its track, so long as the same is used by the said company for the purposes aforesaid: *Provided*, That the said railroad shall be operated only by dummy fireless steam engines or horse power.

Approved March 17, 1875.

No. 744. AN ACT TO INCORPORATE THE TOWN OF WESTMINSTER, IN THE COUNTY OF OCONEE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from Corporators. and after the passage of this Act all citizens of this State who have resided thirty days in the town of Westminster shall be deemed, and are hereby declared to be, a body politic and corporate, Corporate name. and the said town shall be called and known by the name of Westminster, and its corporate limits shall extend three-quarters of one mile from the point of crossing of Main and Broad streets, in a direction due north, east, south and west, and shall include a square formed upon the extremities of lines so drawn.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the fourth Monday in March, 1875, and every year thereafter on the fourth Monday in March, ten days' Officers. public notice thereof being previously given; and that all the male inhabitants of the age of twenty-one years, citizens of this State, Electors. who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas Managers. of Oconee County shall designate three suitable persons, citizens of

the said town, to act as Managers of Election; and that the Intendant and Wardens for the time being shall annually appoint Managers to conduct each ensuing election. A. D. 1875.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Ninety-Six, by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872. Invested with powers, &c., conferred in charter of town of Ninety-Six.

SEC. 4. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 17, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE INCORPORATION OF THE TOWN OF GEORGETOWN."** No. 745.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act for the incorporation of Georgetown," approved December the 19th, A. D. 1805, be, and the same is hereby, amended so as to extend the limits of the said town from its present boundary line, on the Sampit River, to Sampit Ferry, thence along the old Charleston road leading to said ferry, in a direct line across the Sampit road to the Black River road, thence to the present limits of the town. Corporate limits.

SEC. 2. That when the above mentioned territory shall have been incorporated as a portion of said town, the inhabitants thereof shall be entitled to all the rights and privileges, and be subject to all the duties and liabilities which now attach to the corporators of the town of Georgetown, or which may hereafter be created by law. Privileges and liabilities.

SEC. 3. That every description of property, real and personal, situated, used or occupied within the limits of the said town, which is now subject to taxation, or which hereafter may be made so by the General Assembly for the support of the State Government, shall be, and the same is hereby, made the subject of taxation by the Intendant and Wardens of the town of Georgetown, for the support of the government thereof. Property subject to taxation.

SEC. 4. That immediately after the passage of this Act the present Town Council be, and they are hereby, required, prior to the ensuing municipal election, to divide the town into wards, so as to embrace the new territory, either by extending the limits of the old wards, or by creating new wards; and each ward so extended or City to be divided into wards.

A. D. 1875. Ward representation. created shall be entitled to a representation in Council of one Warden, who shall be elected at the regular municipal election, by a majority of the votes cast at the said election in the ward.

Registration. SEC. 5. That it shall be the duty of the Town Council, on or before the twenty-third day of March, 1875, to cause to be registered in the several wards of said town all the qualified voters living therein, and to cause a like registration to be made each succeeding year, at least ten days preceding every municipal election, and no person who has not duly registered his name and resided ten days within the corporate limits of said town previous to the date of such municipal election, shall be entitled to vote: *Provided, however,* That the said Town Council shall give public notice of the time and place of opening such registration books at least two weeks preceding such election, by proclamation duly published in the newspaper having the largest circulation in the said town.

When polls to be opened and closed. SEC. 6. That after the passage of this Act, the polls on the day of election shall be open at six o'clock A. M., and close at six o'clock P. M.

SEC. 7. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

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OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., March 19, 1875.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

H. E. HAYNE,

Secretary of State.

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NO. 746. AN ACT TO PROVIDE FOR HOLDING A CERTAIN ELECTION IN  
BARNWELL COUNTY.

Governor to appoint commissioners of election. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That immediately after the passage of this Act the Governor shall appoint three (3) Commissioners of Election for Barnwell County, one of whom shall be from the town of Blackville, one from the town of Barnwell, and one from the town of Allendale, in said County, and shall issue his proclamation directing and requiring the said Commissioners, on a

day therein to be named, not exceeding sixty days from the date thereof, to open the polls at the various election precincts in the said County for the purpose of holding an election to determine the will of the people as to the location of the County seat of said County.

A. D. 1875.

To issue proclamation of election to determine locality of County seat.

SEC. 2. That at such election the voting shall be by ballot, each qualified voter of the County being entitled to one vote, upon which shall be written or printed, or partly written or printed, the name of the locality at which he desires the County seat to be located: *Provided*, That, in all respects, the said election shall be held, conducted and determined as is now provided by law for the holding of elections for State and County officers.

Manner of voting.

SEC. 3. That upon the canvassing of the votes given at such election, the Commissioners of Election shall certify to the Board of County Commissioners for said County the number of votes given for each locality, and the locality receiving the greater number of votes shall thenceforth be the County seat of said County, at which place the public offices shall be established, and the Courts thenceforth be held: *Provided*, That the expenses incurred in holding said election shall not be paid by either the County or State.

Certificate of result to be sent to County Commissioners.

Locality receiving majority of votes to be County seat.

State and County not liable for election expenses.

SEC. 4. That should Blackville be so determined on as the County seat of the said County, the County Commissioners for said County shall, within thirty days after the holding of such election, re-purchase the Court House building at Blackville, with its privileges and appurtenances, from the party or parties to whom the same was sold, pursuant to the provisions of the aforesaid Act, if the same can be obtained at a price not exceeding the price at which he or they bought the same; otherwise, shall provide some other suitable and proper building for holding the Courts for said County, and for the public officers of the said County, at Blackville; and shall also provide a jail at Blackville for the custody of prisoners; and shall also provide for the removal to Blackville of all public records, books and papers of the said County; and the County officers in charge of all such public records, books and papers shall forthwith remove the same accordingly; and all the public offices of the said County, which by law are required to be kept at the County seat, shall thereafter be kept at Blackville, as the County seat of said County, and all terms, regular and special, of the Courts of General Sessions and Common Pleas, and of Probate, shall thereafter be held by the Judges thereof, respectively, at Blackville; and all jurors, witnesses and parties heretofore summoned, recognized, or otherwise ordered to appear at any of said Courts appointed to be held at the town of Barnwell shall appear at such Court to be held at Blackville, and all processes heretofore

Duty of County Commissioners if Blackville be declared County seat.

Duty of County officers.

Duty of jurors, witnesses, &c.

Processes heretofore returnable at Barnwell to be returnable at Blackville.

A. D. 1875.

issued and made returnable to the said Courts to be held at the town of Barnwell shall be returnable to the said Courts to be held at Blackville.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 19, 1875.

**NO. 747. AN ACT RELATIVE TO CERTAIN SCHOOL OFFICERS IN THE COUNTY OF DARLINGTON.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be, in the County of Darlington, in this State, a Board consisting of three (3) members, which shall be known by the name, style and title of Board of County School Examiners, which shall be composed of the County School Commissioner of the said County, who shall be *ex-officio* Chairman and Clerk of the Board, and two (2) other members, one of which shall be appointed by the State Superintendent of Education, and one by the Judge of the Circuit in which said County is a part. Their term of office shall be two years; and in case of vacancies existing for any cause in the case of the two members appointed, they shall be filled by the officers so appointing. It shall be the duty of the Board of County School Examiners aforesaid to examine all persons offering themselves as candidates for teachers of free common schools in the said County in regard to moral character, learning and ability to teach a school, and to give to each person so examined and found qualified, certificates of the following grades, to wit: Certificates of the first grade for teaching grammar schools; of the second grade for teaching unclassified or intermediate schools; of the third grade for teaching primary schools; such examination to be renewed every year; and no person shall be employed to teach in any of the common or public schools of the County of Darlington who has not a certificate of either of the before mentioned grades from the Board of County School Examiners or from the State Superintendent of Education. Said certificates shall be issued to such persons only as shall have passed a satisfactory examination in the studies pursued in the specified grades of the public schools, and shall have given evidence of a good moral character, and of ability and fitness to teach, and shall be signed by the majority of the said County Board of Examiners. The said Board shall also have power to

County school  
examiners, ap-  
pointments and  
duties.

Certificates,  
to whom to be  
issued.

revoke any certificate by them issued, upon evidence of immoral or unprofessional conduct on the part of any person holding the same. The State Superintendent of Education shall be *ex officio* a member of said County Board of School Examiners.

SEC. 2. That each School District in said County shall be confined to the management of the Board of School Trustees, as hereinafter provided for, and the said Trustees shall be exempt from militia and road duty, and payment of poll tax.

SEC. 3. That in each School District of the said County there shall be elected by the qualified voters of each District, at a District School meeting, to be held at such place as the County School Commissioner shall name or provide, three District School Trustees; and the said School Commissioner shall give at least five days' notice, by posting a written notice in three of the most conspicuous places in such District, of the time and place of such meeting. At said meeting three School District Trustees shall be elected for the term of one, two and three years, respectively, or until their successors are qualified; such terms to be decided by lot, in the presence of the chairman of said meeting; and each succeeding year thereafter one Trustee shall be elected for the full term of three years: *Provided*, That the said election, and every succeeding election for District School Trustees, shall take place on the last Saturday in June in each year, the time of the holding of the annual meeting of the several School Districts, five days' notice of said meeting, its time and place, being given, as hereinbefore provided: *Provided, further*, That the notice for every succeeding election after the first, as provided for in this Act, shall be given by the Chairman of the Board of Trustees of the respective School Districts.

SEC. 4. That if the qualified voters of any School District shall fail to meet and elect School Trustees, as prescribed in the next preceding Section of this Act, it shall be lawful for any ten qualified voters of such District to call a special meeting of the voters thereof, for the purpose of electing Trustees, on first giving five days' notice, in writing, of the time and place of holding such meeting; and the Trustees so elected at such special meeting shall hold their office for the same terms as if elected on the last Saturday in June, as prescribed in the next preceding Section of this Act, except that their said terms shall be considered as having commenced on the last Saturday in June next preceding the time of holding such special election. And should the qualified voters of any of the School Districts fail to meet or comply with the provisions of this Act, and elect School Trustees, then the County School Commissioner shall appoint, for such delinquent School Districts, by and

A. D. 1875.

Management  
of school dis-  
tricts.

Election of  
district Trus-  
tees.

Time of elec-  
tion.

Special elec-  
tion, when and  
how to be held.

A. D. 1875.

with the advice and consent of the members of the County Board of School Examiners, such Trustees, whose term of office shall be regulated as in the case of Trustees elected at special elections, as hereinbefore provided, that is, their said terms shall commence on the last Saturday in June preceding their appointment: *Provided*, That if the School Trustees of any School District elected or appointed to perform any of the duties herein required, or required in Chapter XXXIX of the General Statutes of South Carolina, shall fail or refuse to perform any of the said duties, the said Trustees shall be removed on petition of twenty of the legal voters of the District for which they were elected or appointed by the School Commissioner of the County of Darlington, and a new election shall be ordered, in the usual form, to fill such vacancies; and in case no election is held by the qualified voters of such District, then the vacancies shall be filled by appointment by the School Commissioner, by and with the advice and consent of the County Board of School Examiners: *Provided, further*, That no such removal of Trustees shall be made if good and sufficient cause can be shown why the Trustees have failed to perform the duties of their office.

*When and  
how Trustees  
may be re-  
moved.*

*Vacancies,  
how filled.*

*Powers and  
duties of school  
Trustees.*

SEC. 5. That it shall be the duty of the Trustees in each School District of the said County to take the management and control of the local educational interests of the same, subject to the supervision of the County School Commissioner, and to visit the school or schools of the District at least twice each term, by one or more of their number, with such other person or persons competent to examine pupils in their studies as they may choose to invite. They shall have power, and it shall be their duty, to provide school houses with maps, black boards, furniture and other necessary appendages, including library and cabinet cases, if deemed expedient; to provide books for the indigent children in their district, and to cause the same to be paid out of the school moneys raised in and belonging to their Districts for such purposes. They shall divide the public schools within their Districts into primary, intermediate and grammar school departments, and employ competent and legally qualified teachers for the instruction of the different departments whenever they shall deem such division into departments advisable, provided there be sufficient means for all such departments, and if not, then in the order in which they are herein named. They shall also have power to suspend or expel from any public school in their District, with the advice of the teacher, any pupil who will not submit to the reasonable and ordinary rules of discipline therein.

SEC. 6. That all Acts or parts of Acts inconsistent with this Act are, for the purposes of this Act, hereby repealed.

Approved March 20, 1875.

OF SOUTH CAROLINA.

933

AN ACT TO DECLARE CERTAIN LEGAL HOLIDAYS.

A. D. 1875.

No. 748.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That national thanksgiving days, and all general election days, the first day of January, the twenty-second day of February, the fourth day of July and the twenty-fifth day of December, of each year, shall be, and are hereby declared, legal holidays.

Approved March 20, 1875.

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AN ACT TO VEST ALL THE RIGHT AND TITLE OF THE STATE IN No. 749.  
AND TO CERTAIN PROPERTY SUBJECT TO ESCHEAT IN CERTAIN  
PERSONS THEREIN MENTIONED.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all the right, title and interest of the State in and to the real estate of Anthony Coats, deceased, situate in the County of Anderson, containing one hundred and fifty acres of land, more or less, now liable to escheat, be, and the same is hereby, vested in Mary Smith, Nathaniel Smith, John Owen and Willis Pegg, their heirs, administrators or assigns, forever: *Provided*, That before the said title shall vest, the said parties shall pay all the just debts of the said Anthony Coats, deceased.

Certain  
escheated  
property, in  
whom vested.

Approved March 20, 1875.

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AN ACT TO PROVIDE FOR THE ENUMERATION OF THE INHABITANTS OF THE STATE. No. 750.

Whereas by the fourth Section of the second Article of the Constitution of this State, as ratified on the fourteenth and fifteenth and sixteenth days of April, A. D. 1868, it is provided that, for the purpose of an apportionment of the Representatives of the several Counties of the State, an enumeration of the inhabitants shall be made in 1869, and again in 1875, and shall be made in the course of every tenth year thereafter, in such manner as shall be by law directed:

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General

A. D. 1875.

~~Proviso  
stricken out.~~

Duties of  
Commissioner  
of the Bureau  
of Agricultural  
Statistics de-  
veloped on Sec-  
retary of State.

When returns  
to be com-  
pleted, &c.

Secretary of  
State to furnish  
blanks, &c.

Compensation  
of census  
takers.

Appropriation  
to pay same.

How compen-  
sation to be  
paid.

Secretary of  
State to employ  
clerical service  
to collate re-  
turns, &c.

Appropriation  
to pay same

Assembly, and by the authority of the same, That Chapter XXVII, Title VI, Part I, of the General Statutes of South Carolina, be, and the same is hereby, amended as follows, viz: Strike out of Section 1 of the said Chapter the following proviso: "*Provided*, That the number of assistants shall not exceed four in each County, except in the County of Charleston, in which County the number of assistants shall not exceed six." Strike out of the Sections of the Chapter, wherever found, the words "Commissioner of the Bureau of Agricultural Statistics" and "Commissioner," and insert "Secretary of State" in the place thereof. Strike out the following in Section 6, viz: "when completed, and forward the same by the first day of November," and insert in the place thereof the words, "which shall be completed and forwarded on or before the fifteenth (15th) day of September, 1875, and on the same day every tenth year thereafter." Also insert between the words "prepared" and "on," in Section 7, the following, viz: "and forward to the census-takers in each County," so as to read, "that it shall be the duty of the Secretary of State to have prepared and forwarded to the census-takers in each County, on or before the fifteenth (15th) day of April, 1875, and on the same day every tenth year thereafter, suitable books, blanks and instructions," &c. Strike out all in Section 7 after "the General Assembly," in the last line but one, and insert the words "within one week after it shall have convened at its next regular session."

SEC. 2. That Section 9 of Chapter XXVII, Title VI, Part I, of the General Statutes, be struck out, and the following become Section 9: "That the census-takers employed in taking the census shall be entitled to receive as compensation in full for all services rendered the sum of five (5) cents for every name taken, registered and returned in their reports to the Secretary of State. Such compensation shall be paid out of the phosphate royalties for the fiscal year ending November 1, 1875, which shall be reserved and made a specific fund for the payment of said compensation and the clerical service hereinafter authorized, said compensation to be paid upon warrants to be drawn by the Comptroller General whenever he shall have received satisfactory proof that the services of the claimant have been faithfully rendered; and the Secretary of State is hereby authorized to employ such clerical service as will be necessary to assist him in collating and making his returns to the Governor and General Assembly, such service to be paid for out of the phosphate royalties, as before provided, on the Comptroller General's warrant, on the application of the Secretary of State: *Provided*, That the said clerical services shall not exceed the sum of three hundred dollars."

Approved March 20, 1875.

**AN ACT TO PROVIDE FOR THE FILLING OF ANY VACANCIES THAT  
MAY OCCUR IN CERTAIN STATE OFFICES.**

A. D. 1875.  
No. 751.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in case any vacancy shall occur in the office of Comptroller General, Treasurer, Secretary of State, Attorney General, Superintendent of Education, or Adjutant and Inspector General, by death, resignation or otherwise, such vacancy shall be filled by an election, by joint ballot of the General Assembly, a majority of the votes given being necessary to a choice: *Provided, however,* That if such vacancy shall occur during the recess of the General Assembly, the Governor shall fill such vacancy by appointment, until an election by the General Assembly, as aforesaid, at its next meeting.

Vacancies to  
be filled by  
General As-  
sembly.

When Gover-  
nor may fill  
vacancies.

**SEC. 2.** That all Acts or parts of Acts conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 20, 1875.

**AN ACT TO RENEW THE CHARTER OF THE CANNONSBORO NO. 752.  
WHARF AND MILL COMPANY.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter granted to the Cannonsboro Wharf and Mill Company, on the 21st day of December, in the year of our Lord one thousand eight hundred and fifty-seven, for fourteen years, under Sections 16, 17 and 18 of the general incorporation Act, passed 21st December, A. D. 1857, and which expired on the 21st December, A. D. 1871, be, and the same is hereby, renewed for a like period of fourteen years from the said 21st day of December, Anno Domini eighteen hundred and seventy-one.

Charter re-  
newed.

Approved March 20, 1875.

**AN ACT TO REPEAL SO MUCH OF AN ACT ENTITLED "AN NO. 753.  
ACT TO PROVIDE FOR GRANTING OF CERTAIN CHARTERS," AS  
PROVIDES FOR THE GRANTING OF CHARTERS TO MILITARY  
COMPANIES.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D: 1875.

No charters  
to be granted  
to military  
companies ex-  
cept National  
Guard.

and by the authority of the same, That so much of an Act entitled "An Act to provide for granting of certain charters," approved February 20, 1874, as provides for the granting of charters to military companies by the Clerks of Court, in the several Counties in this State, be, and the same is hereby, repealed, so far as may relate to the granting of charters to companies other than the regularly organized militia of the State, known as the National Guard of the State of South Carolina.

Approved March 20, 1875.

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**No. 754. AN ACT TO PROVIDE FOR EXTENDING THE TIME OF HOLDING THE DELINQUENT LAND SALES IN SEVERAL COUNTIES OF THE STATE FOR THE PRESENT YEAR.**

Preamble.

Whereas the time for the collection and payment of taxes in several Counties of the State, for the present year, has been extended beyond the time fixed by the Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same;" therefore,

**SECTION 1. Be it enacted** by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized and required

Sale of delin-  
quent lands-  
when to take  
place.

to direct the several County Auditors and County Treasurers in the said Counties to extend the times and periods for the publication and sale of the delinquent lands in the said Counties provided for in the said Act, until such times and periods as may, in his judgment, be necessary to carry out the purpose and spirit of the said Act; and that all acts done and performed, or required to be

Validating  
certain orders  
of Comptroller  
General.

done and performed, by any County Auditor or County Treasurer in connection with the publication and sale of such delinquent lands, pursuant to such directions of the Comptroller General, shall be, in all respects, as legal, and have the same force and effect as if the same acts had been done and performed at the times and within the periods specified in the said Act.

**SEC. 2.** That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, for the purposes of this Act, repealed: *Provided*, That the provisions of this Act shall not extend beyond the year 1875.

Approved March 22, 1875.

**AN ACT REQUIRING CERTAIN PERSONS, FORMERLY TREASURERS OF THE COUNTIES OF DARLINGTON, ANDERSON, SPARTANBURG, SUMTER AND BEAUFORT, TO TURN OVER ALL CHECKS, VOUCHERS, PAPERS OR ACCOUNTS TO THE COUNTY COMMISSIONERS OF SAID COUNTIES.**

A. D. 1875.  
No. 755.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. J. Humphrey, J. Wright and J. M. Brown, formerly Treasurers of the County of Darlington, and Daniel Brown, late Treasurer of Anderson County, J. P. F. Camp, formerly Treasurer of Spartanburg County, T. J. Coglan, formerly Treasurer of Sumter County, E. L. Kuh and F. E. Wilder, formerly Treasurers of Beaufort County, be, and they are hereby, directed and required, within sixty days after the passage of this Act, to turn over all checks, vouchers, papers, or accounts which were received by them officially, while conducting the affairs of their office, to the County Commissioners of said County, and take from the said Commissioners a certified statement or receipt for the same. And if either of the aforementioned parties shall neglect or refuse to obey the requisition herein contained, such party or parties shall be held guilty of a misdemeanor, and, upon conviction, shall be liable to a fine of one thousand dollars, and imprisonment not exceeding twelve months. And it shall be the duty of the Solicitors of the Circuits, of which said Counties are a part, on the request of the Boards of County Commissioners of Darlington, Anderson, Spartanburg, Sumter and Beaufort Counties, to prosecute such delinquent party or parties, so that the penalties of this Act may be carried out.

Treasurers to  
turn over cer-  
tain papers to  
County Com-  
missioners.

Penalty for  
refusal so to do.

Approved March 23, 1875.

**AN ACT TO CHARTER THE GREENVILLE AND CUMBERLAND No. 756.  
GAP RAILROAD COMPANY.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. H. Walter, W. J. Magrath, J. M. Baxter, J. N. Martin, J. S. Cothran, J. Harvey Cleveland, S. Stradley, W. E. Earle, T. C. Gower, J. A. David, V. E. McBee, T. Q. Donaldson, A. M. Aiken, David Coleman, H. T. Farmer, Eli Patton, S. S. Crittenden, and their associates and successors, be, and they are hereby, declared a body politic and

Corporators.

Corporate  
name.

A. D. 1875.

corporate, under the name and style of "The Greenville and Cumberland Gap Railroad Company."

SEC. 2. That the said company are authorized to construct a rail-line of road, road from the city of Greenville, in the State of South Carolina, to the North Carolina line, at such point as the said company may determine, with the privilege of connecting with any railroad to be constructed in the State of North Carolina, with all the rights, privileges and immunities granted to the Greenville and Columbia Railroad Company, under the Act incorporating the same, and the several Acts amendatory thereof, so far as they may be applicable to the purposes of the charter hereby granted: *Provided*, That nothing herein contained shall be so construed as to exempt said company from taxation.

*Invested with  
rights, &c., of  
charter of  
Greenville and  
Columbia R.R.  
Subscriptions, in what  
receivable.*

SEC. 3. That said company is authorized to receive subscriptions to its capital stock in land or labor, as may be agreed upon between said company and said subscribers, and may acquire by grant, purchase, lease or otherwise, any estate, real or personal, whatsoever, and to hold, use, sell, convey and dispose of the same as the interest of said company may require; and the stockholders of said company shall only be liable to the amount of the stock subscribed by said stockholders.

*Liability of  
stockholders.  
Counties, cities and towns may subscribe.*

SEC. 4. That the several Counties, cities and towns, interested in the construction of said road, are hereby authorized to subscribe to the capital stock of the same, in manner and form, with the same privileges and restrictions as are conferred and imposed in an Act entitled "An Act to authorize the formation of, and to incorporate, the Laurens and Asheville Railroad:" *Provided*, That nothing herein contained shall be so construed as to exempt said company from the provisions of Section 1, Chapter LXIII, of the General Statutes.

*Not exempt  
from certain  
provisions of  
General Statutes.*

SEC. 5. That the capital stock of said company shall be divided into shares of fifty dollars each, and may be increased to the sum of six million dollars; and the said company shall have authority to organize and elect its officers and Directors as soon as the sum of fifty thousand dollars shall have been subscribed and one dollar per share paid on the same.

SEC. 6. This Act shall be deemed a public Act, and shall continue in force for twenty-one years: *Provided*, The said road shall be commenced within three years and completed within seven years from the passage of this Act.

Approved March 23, 1875.

AN ACT TO INCORPORATE THE RICHLAND BUILDING AND LOAN  
ASSOCIATION, OF COLUMBIA, S. C.A. D. 1875.  
No. 757.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. B. Nash, John Agnew, John T. Sloan, Jr., J. P. Southern, Andrew Curtis, Charles F. Jackson, W. K. Backman, W. G. Childs, Hugh S. Thompson, M. T. Bartlett, S. L. Leaphart, C. J. Iredell, William R. Cathcart, together with other persons who now are or hereafter may be associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the "Richland Building and Loan Association, of Columbia, S. C.", the capital stock of which shall consist of twelve hundred (1200) shares, to be paid in by successive monthly instalments of one dollar on each share, so long as the corporation shall continue, the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for defaults in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

Corporate  
name.

Capital stock.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such number and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws, made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

General pow-  
ers.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same from time to time to its members, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred and forty thousand dollars.

May hold and  
convey real  
estate.

SEC. 4. That the funds of said corporation shall be loaned and advanced to members and stockholders, upon the security of real and personal estate, and used in the purchase of real estate, for the

Investment  
of funds.

A. D. 1875.

benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations as may from time to time be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them, in good faith, by way of security, upon its loans and advances; and may sell, alien or otherwise dispose of the same to its members and stockholders only, as they, from time to time, may deem expedient.

*When may  
loan out  
money on  
hand.*

SEC. 5. That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may be thus on hand to others than stockholders and members, for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation.

*Division and  
distribution of  
assets.*

SEC. 6. That whenever the funds of the said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and such distribution and division of the funds shall have been so made, then the corporation shall cease and determine. This Act shall be deemed a public Act, and that the same may be given in evidence without specially pleading the same: *Provided*, That said corporation shall have all the rights and be subject to all the liabilities provided in the Act to regulate the formation of corporations, passed December 10, 1870.

Approved March 23, 1875.

No. 758. AN ACT TO INCORPORATE THE GERMAN MUTUAL LIFE ASSOCIATION OF CHARLESTON.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John A. Wagner, Jacob Kruse, C. H. Behre, E. Rosenthal, C. D. Franke, H. Klatte, and J. C. H. Claussen, and such persons who shall become members in the manner hereinafter prescribed, shall become, and they and their successors shall be, a body politic and corporate, under the name and style of the German Mutual Life Association of Charleston.

Corporate name.

Members.

SEC. 2. That every person admitted into the said association shall

be deemed and continue a member thereof during his contribution and payments, according to the rules of the said association, of such premiums, assessments and dues as he or she may be legally assessed at, and as long as he or she shall, in all things, conform to the rules and by-laws of the association aforesaid.

SEC. 3. That as soon as one hundred persons shall subscribe their names to an agreement to become members of the said association, the same shall be enabled to go into operation, but if at any time thereafter the members shall amount to less than one hundred the said association shall immediately cease and determine.

SEC. 4. That the said association, under its name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation, and shall be capable of taking, holding and disposing of their capital stock, according to such rules, regulations and institutions, as they may from time to time establish; and also of taking, holding and disposing of, or investing, as the said corporation from time to time judge fit, the increase, profits or emoluments of their said capital stock, to their own use; and shall have full power and authority to make, have and use a common seal, and with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and, by the name, title and style aforesaid, shall be able and capable, at law or in equity, to sue and be sued, implead and be impleaded, answer and be answered unto in all or any of the Courts or tribunals of this State, in all manner of suits, pleas and demands whatsoever; and they are hereby authorized and empowered to appoint a Board of Directory, President, Vice President, Secretary and Treasurer, at such periods and with such duties as they shall see fit, and also to make rules, by-laws and ordinances, and do everything needful for the good government and support of the affairs of the said corporation and for restoring their capital when diminished by losses: *Provided, always,* That the said rules, by-laws and ordinances shall not be repugnant to the Constitution and laws of the United States or of this State, and that their capital shall not exceed at any time five hundred thousand dollars.

SEC. 5. That the said corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estate, and the same to demise, grant, sell, lease, assign and convey in fee simple or otherwise.

SEC. 6. That the said corporation shall, by their said name, and by the signature of their President for the time being, or by the signature of such other officers or persons, and with such ceremonies of authenticity as they shall from time to time, by their rules and by-laws, ordain or appoint, have a right to make contracts and insurance.

A. D. 1875.

When may  
go into opera-  
tion.

General pow-  
ers.

Officers.

May acquire  
and con-  
vey  
property.

Policies of  
insurance.

A. D. 1875.

policies of insurance and indemnity upon the lives of their members or others, or against accidents or personal injuries of the same or others, and generally to transact and perform all the business relating to the duration of life or indemnity for personal injuries, and by such contracts to bind and pledge their said members, each according to his rate of insurance and amount insured, according to their rules, regulations and by-laws.

**Assessment.** SEC. 7. That in case of the death of a member or person insured, it shall and may be lawful to and for the Board of Directors, if they shall deem the same necessary, to assess all the members or persons insured according to the amount and rates of their insurance, according to the provisions of their policies of insurance. Twenty days' notice shall be given in some newspaper published within this State of such assessment, within which period the same shall be paid to the Treasurer; and if the assessment of any member or person insured be not paid within the period fixed as aforesaid, the said association may either recover from such defaulting member or person insured his or her assessment, with interest thereon from the date of such assessment, or, at the option of the Directory, be dismissed and forever discharged from membership or insurance, and the premium paid in by such defaulting member or person insured forfeited, and all his or her claims to the said association forever debarred.

**Defaulters.****Manner of election.****Amount of risks limited.**

SEC. 8. That in all elections in the said association each member thereof who shall have discharged all his dues and assessments to the same, shall be entitled to one vote, and all elections shall be by ballot.

SEC. 9. So long as only one hundred thousand dollars are insured in the above association, no one life shall be insured for more than one thousand dollars, and so on, in proportion of the increase, no single risk shall exceed the rate of one thousand dollars of every one hundred thousand dollars insured.

SEC. 10. That this Act shall be deemed a public Act, and be in force until repealed.

Approved March 23, 1875.

No. 759. AN ACT FOR THE RELIEF OF SURETIES UPON OFFICIAL BONDS OF CERTAIN OFFICERS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That when any of

the sureties of any officer elected or appointed to any office shall, in writing, notify the proper officer, whose duty it is to approve the bond of such officer, that they desire to be relieved from their suretyship, it shall be the duty of the officer authorized by law to approve the same to require said officer to execute a new bond with security, which, when approved, shall be as valid as the bond given on the original election or appointment of such officer; and the sureties upon the prior bond shall be released from responsibility for all acts or defaults of such officer which may be done or committed subsequent to the approval of such new bond. That in no event shall the liability of such sureties continue more than sixty days after giving said notice.

A.D. 1875.  
How sureties  
may be re-  
lieved.

SEC. 2. That when any officer shall be required to execute a new bond, with security, as provided for in the first Section of this Act, he shall proceed forthwith to execute such new bond and submit the same for approval to the officer authorized by law to approve the same, and if he shall fail or neglect to so execute and submit such new bond, or fail or neglect to execute and submit a bond satisfactory to the officer authorized to approve the same, within thirty days after having been required so to do, the said officer, as the case may be, shall forthwith report to the Governor of the State that such officer has been duly required, under the provisions of this Act, to furnish a new bond, and that such officer has failed so to do, and, upon being so informed, and upon receiving a certified copy of all the papers relative to the case, it shall be the duty of the Governor, by public proclamation, forthwith to declare the office held by such defaulting officer vacant, and such office so made vacant shall be filled in the manner now provided by law.

In case of  
failure to make  
new bond, office  
to be declared  
vacant.

SEC. 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and they are hereby, repealed.

Approved March 24, 1875.

**AN ACT TO PROTECT AND ENCOURAGE STOCK RAISING IN SOUTH CAROLINA.** No. 760.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That the owner of any stock horse, jack, bull, boar or ram, kept by him for the purpose of raising from, having a claim by contract against the owner of any mare or cow, for service, shall have a prior lien on the issue of such mare, cow or other stock for the amount of such claim: *Provided*, An

When owner  
of certain  
stock to have  
prior lien on  
issue.

A. D. 1875.  
Action to enforce claim, how brought. action shall be instituted to enforce such claim, by suit before a Trial Justice or other officer having jurisdiction, within twelve months from the time such claim shall have accrued.

Approved March 24, 1875.

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**No. 761. AN ACT TO AMEND "AN ACT TO INCORPORATE THE SOCIETIES THEREIN NAMED."**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 12 of an Act entitled

Exempt from certain proviso. "An Act to incorporate the societies therein named," approved March 17, 1874, be amended by adding after the last word of said

Section the following words: "*Provided, further,* That the preceding proviso shall not apply to the South Carolina Jockey Club."

Approved March 24, 1875.

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**No. 762. AN ACT REGULATING THE MANNER OF PAYMENT OF ALL CLAIMS AGAINST THE SEVERAL COUNTIES IN THIS STATE.**

Preamble.

Whereas the Constitution of South Carolina, Article IV, Section 19, gives the Boards of County Commissioners of the several Counties in this State jurisdiction over all matters relating to taxes, and the disbursements of money for County purposes ; and

Whereas the laws of the State require from the said Boards of County Commissioners annual detailed statements of all their official doings in relation to taxes collected, as well as disbursed, to be made to the Comptroller General of the State ; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, no claims, of any class or description, which are payable by the Treasurer of any County in this State, shall be paid by the County Treasurer of any County until such claim shall have first been examined, approved and allowed by the Board of County Commissioners of such County ; and the said Commissioners, after examining, approving and allowing such claims, shall, if there be funds in the hands of the County Treasurer, draw their check for the payment of the said claim upon the Treasurer of their respective Counties, specifying the month and fiscal year for which the claims were contracted or incurred ; and the said claims

County claims, by whom to be approved and allowed.

When and how payable.

By whom cancelled.

shall be cancelled by the party receiving said check, and the claims so cancelled shall remain in the office of said Commissioners as their vouchers.

A. D. 1875.

SEC. 2. That it shall not be lawful for any County Treasurer to pay any claim against the County except upon the checks of the County Commissioners of the said County, which shall bear upon their face, not only the number, amount, and the name of the party in whose favor they are drawn, but the nature of the claims for which they are drawn, and the month and fiscal year in which they were contracted or incurred. The said checks shall be the vouchers of the County Treasurers, to be held by them until their annual settlement with the Auditors of their Counties, when the said checks of the County Commissioners shall be turned over to the County Auditors for cancellation; and the said County Auditors shall, thereupon, give to the said County Treasurers their official receipts for the aggregate amount of such checks which have been paid within the year for which they were issued, which receipts shall be the personal vouchers of the said Treasurers.

County Treasurer to pay only on County Commissioners' checks.

Checks to be his vouchers.

To turn over same to Auditor.

SEC. 3. It shall be the duty of the County Commissioners of the several Counties of this State, in auditing the accounts of Trial Justices, to require said officers to exhibit, with their bill of costs, all the original papers in each case in which costs have accrued; and that no bill of costs against any County in this State shall be allowed by any Board of County Commissioners, unless accompanied by the original papers in each case mentioned in the said bill or account.

Trial Justices to exhibit original papers.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 24, 1875.

**AN ACT TO AUTHORIZE AND EMPOWER P. C. FLUDD TO ERECT NO. 763.  
AND MAINTAIN GATES ACROSS A CERTAIN LANE IN DARLINGTON COUNTY.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That P. C. Fludd be, and he is hereby, authorized and empowered to erect and maintain gates across a public lane in Darlington County, running from the public road opposite his house to Edward's Mill: *Provided*, That said gates shall always be kept in good repair and constructed in such manner as will afford the least trouble in passing the same.

P. C. Fludd to erect gates.

Approved March 24, 1875.

A. D. 1875.  
 No. 764.

**AN ACT TO INCORPORATE THE RAILROAD ROLLING STOCK MANUFACTURING COMPANY, OF PORT ROYAL.**

**Corporators.** SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. F. Appleton, Royal E. Robbins, D. C. Wilson, J. H. Rundall, R. H. Thayer, T. P. Branch, George Holmes, and all other persons who shall or may be associated with them, and their successors, be, and are hereby, created and erected into a body corporate and politic, in deed and in law, by the name and title of the Railroad Rolling Stock Manufacturing Company, of Port Royal.

**Corporate name.**

**May manufacture, &c., rolling stock.**

**May build wharves.**

**May erect machine shops.**

**Capital stock.**

**Books of subscription.**

**To file certificate with Secretary of State.**

**Officers.**

SECTION 2. The said corporation shall have full power and authority to manufacture, purchase and own all manner of rolling stock and material used in the operation of railroads, and to sell, loan or lease the same to any railroad operated in whole or in part in the State of South Carolina.

SECTION 3. That the said company is hereby authorized and empowered to build a wharf or wharves to deep water on any property owned or leased by it in the harbor of Port Royal, and to collect the usual rates of wharfage on the same.

SECTION 4. The said company shall have power to erect machine shops in the County of Beaufort, for the purpose of manufacturing and repairing railroad rolling stock and supplies, and to do any other work necessary for the operation of such an establishment.

SECTION 5. The capital stock of the said company shall be five hundred thousand dollars, divided into five thousand shares of one hundred dollars each.

SECTION 6. That the corporators herein named shall open books of subscription to the capital stock of said Company, at such times and places as they may deem fit, and may appoint suitable persons to receive subscriptions to the same, and whenever the sum of ten (10) per cent. shall have been paid in to said capital stock the said corporators, or any two of them, shall file in the office of the Secretary of State their affidavit that such amount has been *bona fide* paid in, and thereupon the persons who have subscribed to the stock of said company shall have ten days' public notice by advertisement in one or more newspapers of the State of the amount of capital subscribed, and of the time and place when and where such stockholders shall meet to organize said company.

SECTION 7. That the said company shall at said meeting be organized by the election of a President, Vice-President, and such number of Directors and other officers for such term as the stockholders present may decide upon then or at any time thereafter, and that annually

thereafter the President and Directors so elected shall call together the stockholders for the purpose of electing officers of the corporation, and for the purpose of transacting such business relating to the interests of the company as they may deem fit; and at such meeting any member of said corporation will be allowed one vote for every share owned, and to cast a vote by proxy.

A. D. 1875.

SEC. 8. That said company, when organized, as herein provided, <sup>General pow-</sup>  
ers. may establish by-laws for the usage and government of the company not repugnant to the laws of the State; may purchase and hold such real estate as may be necessary for their purpose, and may transfer the same; may sue and be sued, plead and be impleaded, in the Courts of this State; may have and use a corporate seal, and may enjoy all the rights, privileges and immunities of similar bodies corporate in this State. They also shall enjoy such special privileges and immunities as are now or hereafter may be conferred by law on similar manufacturing companies within this State.

SEC. 9. That whenever the said ten per cent. shall be paid into the capital stock of said company, it shall be authorized to commence business as a manufacturing company under this charter. Each stockholder shall be liable to the amount equal to his stock for the debts of said company, according to the number of shares held in said company. <sup>When may commence business.</sup> <sup>Liability of stockholders.</sup>

SEC. 10. This Act shall be taken and deemed a public Act, and to remain in force for a term of thirty years.

Approved March 24, 1875.

AN ACT TO AUTHORIZE THE BUILDING AND LOAN ASSOCIA- No. 765.  
TION OF SPARTANBURG COUNTY TO INCREASE THEIR CAPITAL STOCK.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Building and Loan Association of Spartanburg County, South Carolina, be, and they are hereby, authorizd to increase their capital stock to any amount not exceeding two thousand shares, in such manner as they may deem proper, provided it be consistent with their charter. <sup>Increase of capital stock.</sup>

Approved March 24, 1875.

A. D. 1875.  
 No. 766.

**AN ACT TO AUPHORIZE THE COUNTY COMMISSIONERS OF FAIRFIELD COUNTY TO CLOSE A CERTAIN ROAD IN SAID COUNTY.**

Public road closed.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Fairfield County be, and they are hereby, authorized and empowered to close up and discontinue the road leading from Gibson's Bridge to the J. A. Martin Place, in said County.

Approved March 24, 1875.

**No. 767. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF RICHLAND COUNTY TO LEVY AND COLLECT A SPECIAL TAX TO PAY PAST DUE INDEBTEDNESS.**

Special tax of 1 mill.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Richland County be, and they are hereby, authorized and directed to levy and collect a special tax on the taxable property of said County as follows: A special tax of one mill on the dollar shall be levied and collected for the fiscal year commencing November 1st, 1875, and each year thereafter until the sum of twenty-five thousand dollars has been collected as a special tax.

**Object of same.** Said tax shall be devoted exclusively to the payment of the past due indebtedness of said County: *Provided*, That all claims for

**Claims, where to be registered.** the payment of which the special tax herein authorized is levied shall be registered in the office of the Clerk of the Court of the said

County of Richland, on or before the first day of October, 1875,

**Statement to be filed with Circuit Judge.** who shall file a statement setting forth the names of the claimants, the amounts and dates of said claims, with the Judge of the Fifth Circuit, at the October Term of the Court of Common Pleas, for the

**Judge to approve statement before claims are paid.** year 1875, for the County of Richland; which statement shall be approved of by said Judge before the payment of any of said claims shall be made: *Provided, further*, That the said Clerk shall give

**Notice of registration.** due notice of said registration by publication thereof, in one of the daily papers of the city of Columbia, twice a week, for the period of four weeks, the first insertion to be made on the first Tuesday of April, 1875.

**Claims of J. E. Dent and D. B. Miller to be first paid.** SEC. 2. The County Commissioners be required to pay the balance of the account due J. E. Dent, Sheriff, for dieting prisoners from November 20, 1873, to October 31, 1874, and the account of D. B. Miller, Clerk, for amount advanced by him for support of

paupers in the Alms House out of the first moneys collected under the above special levy; the remaining claims to be paid *pro rata*.

A. D. 1875.  
Other claims  
payable *pro*  
*rata*.

Approved March 24, 1875.

**AN ACT TO INCORPORATE THE SOUTH CAROLINA MUTUAL INSURANCE AND TRUST COMPANY OF COLUMBIA.** No. 768.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thomas A. McCreery, Samuel W. Melton, Lysander D. Childs, John Agnew, William D. Love, Charles F. Jackson, Barrie B. McCreery, Samuel Cowan and Maurice Raleigh, and such persons as now are, or hereafter may be, associated with them, their successors and assigns, be, and they are hereby, constituted and declared to be a body politic and corporate, by the name and style of the South Carolina Mutual Insurance and Trust Company of Columbia, for the purpose of insuring dwelling houses, stores, shops and other buildings, household furniture, merchandise and other property against loss or damage by fire; and, also, for the purpose of insuring vessels, freights, goods, wares and merchandise, and of making all and every kind of insurance connected with marine risks of transportation and inland navigation, and of causing themselves to be insured or re-insured whenever and to whatever extent they may deem it expedient; and by that name may have succession; and shall have power to sue and be sued, and to plead and be impleaded in all Courts, whether in law or equity; and by that name may also have, purchase, possess and enjoy to them, their successors and assigns, lands, tenements and hereditaments, goods, chattels and effects, of whatsoever nature and kind, necessary for the purpose of the corporation; and the same may grant, demise, alien and dispose of at pleasure, for the benefit of the corporation; and also may have a corporate or common seal, and alter or renew the same at pleasure; and also may make and establish such by-laws and regulations, and such alterations and amendments thereof, as they shall deem proper: *Provided, always,* That such by-laws and regulations shall not be contrary to the Constitution or laws of this State or of the United States.

SEC. 2. That all the affairs, property and concerns of the corporation shall be managed and conducted by nine Directors, five of whom shall constitute a quorum, all of whom shall be residents of the United States, and a majority of whom shall

Corporators.

Corporate  
name.

Objects of cor-  
poration.

General pow-  
ers.

Officers of  
corporation.

A. D. 1875.

be residents of the State of South Carolina; and that the said Thomas A. McCreery, Samuel W. Melton, Lysander D. Childs, John Agnew, William D. Love, Charles F. Jackson, Barrie B. McCreery, Samuel Cowan and Maurice Raleigh, and such of them, or such others, to the number of nine, as shall have subscribed to the fund hereinafter provided for, and shall comply with the terms of this Act, shall be the first Directors of the corporation, and shall choose out of their body a President, and shall hold office for one year, and until their successors shall be chosen, and a majority of them qualified to serve. All vacancies may be filled for the remainder of the year by such person or persons as a majority of a quorum of the Directors, for the time being, may appoint.

*Vacancies,  
how filled.*

SEC. 3. That the Board of Directors of said corporation shall be elected each year hereafter, at such time and place, in the County of Richland, as the said corporation, in their by-laws, may appoint, after such notice thereof shall have been given as the Board of Directors may direct, or as the by-laws shall have prescribed, which election shall be holden under the inspection of three members of the corporation not Directors, who shall be appointed by the Board

*Election  
Directors.* Manner of Directors previous to the election. The election shall be by ballot, and the persons receiving a plurality of the votes of those entitled to vote, or their proxies, shall be declared to be elected.

SEC. 4. That the Board of Directors may appoint a Secretary and such other officers and agents as may be requisite for carrying on the business of the said corporation, and allow them such compensation as may be reasonable; and, also, determine the rates at which insurances may be made. They shall also have power to establish agencies in this and other States, and insure and accept risks wherever and whenever they may think proper.

SEC. 5. That all policies and contracts founded thereon, which shall be made or entered into by the said corporation, may be made either under or without the seal thereof, and shall be subscribed by the President and attested by the Secretary; and, being so subscribed and attested, shall be binding and obligatory on the said corporation, and said corporation shall be liable for all loss or damage sustained by fire or other casualty agreeably to and on such terms and conditions as shall be contained in the policy.

When policies  
to be binding  
on corporation. SEC. 6. That the said corporation may issue participating policies of insurance, and, in accordance therewith, may require any person or persons who shall or may become a member or members of the said corporation, by effecting insurance therein, under and by means of any such participating policy, either to give a promissory note for any portion of the premium on his or their policy, to be guaranteed by some responsible person, or without guarantee, if

*May issue par-  
ticipating poli-  
cies.*

Premium,  
how payable.

the said Directors shall so determine, or to pay the whole or any part of the said premium in cash before such person or persons shall receive his or their policy; which said note or payment in cash, or both, shall be considered as part of the assets of the said corporation, and the same, or such ratio thereof as the said Directors may determine, shall be appropriated to the payment of such losses or damages as may be sustained, and such expenses as may be necessary for carrying on the business of the said corporation, but no member shall be liable for any such losses or damages beyond the amount of his note and payment in cash, or beyond the special deposit hereinafter provided for. And in case any loss or damage shall be sustained before a sufficient surplus shall be accumulated by the said corporation to pay it promptly; and in order the more effectually to secure the assured against loss or damage, the said Thomas A. McCreery, Samuel W. Melton, Lysander D. Childs, John Agnew, William D. Love, Charles F. Jackson, Barrie B. McCreery, Samuel Cowan and Maurice Raleigh, and their associates, shall deposit with the said corporation the sum of fifty thousand dollars in cash, or in good securities, or in both, immediately on the passage of this Act; and the said Directors may provide for increasing the said sum to two hundred and fifty thousand dollars, at any time or times thereafter, in their discretion, which sum, and any increase thereof, shall be considered as part of the assets of the said corporation, and the same, or such ratio thereof as the said Directors may determine, shall be appropriated to the payment of such losses and damages as may be sustained, and such expenses as may be necessary for carrying on the business of the said corporation; and should any of the said subscribers fail to make such deposit according to his or their agreement or promise so to do, or to comply, in all respects, with this provision, he or they shall forfeit to the said corporation any amount in cash or in securities he or they may have paid in, and shall be no longer a member or members of the said corporation; and the amount which said defaulter or defaulters agreed or promised to deposit may be assumed by any member of the corporation, or by any person who may desire to become a member, by complying, in all respects, with the provisions of this Act; and such person shall be vested with all the rights and privileges to which such defaulter or defaulters were entitled, and shall be subject to all the obligations to which he or they were liable under this Act. And the depositors, as aforesaid, their executors, administrators and assigns, shall receive, annually, out of the earnings or profits of the said corporation, if any such interest or dividend, *pro rata*, as the Directors shall determine to be just.

SEC. 7. That the depositors aforesaid, their executors, adminis-

A. D. 1875.

Liability of members.

Corporators to make deposits as security against loss.

Amount of same.

Defaulters.

Dividends to depositors.

A. D. 1875. trators and assigns, shall have the sole power to elect the Directors of the corporation, and that each shall have one vote for every five hundred dollars of his proportion of such deposit.

Management of corporation. SEC. 8. That immediately after each annual statement of the business of the corporation is made up, the Directors may declare a dividend to each and every participating policy holder, *pro rata*, from accumulated earnings, if, in their judgment, it shall be consistent with the interests and safety of the corporation; and such dividend may be applied to the credit of any notes held against such participating member, or may be issued in scrip of the corporation, bearing interest at the rate of six per cent. per annum, which interest shall be paid annually, on or before the first day of March in each year, until such scrip shall be paid by the corporation; or the Directors may, at their option, reduce such dividend to a cash value, and pay the same in legal currency, should such participating member prefer it.

When policy on property to be void. SEC. 9. That when any property, insured by the said corporation, shall be alienated by sale or otherwise, the policy shall thereupon be void and be surrendered to the Directors of the corporation to be cancelled; and upon such surrender, the assured shall be entitled to receive his deposit, note or cash, or both, after deducting his proportion of all losses or damages and expenses that shall have occurred prior to such surrender; but the alienee having the policy assigned to him may have the same ratified and confirmed to him for his own proper use and benefit, upon application to the Directors and giving proper security to the satisfaction of the said Directors for the payment of such portion of the deposit note as shall remain unpaid, and thereupon shall be entitled to all the rights and privileges to which the original party to whom the policy issued was entitled, and shall be subject to all the obligations to which he was liable under this Act.

Suits against members of corporation. SEC. 10. That suits at law, or in equity, may be prosecuted and maintained by the said corporation against any of its members, for the collection of any note or any assessment thereon, or for any other cause growing out of the business of the said corporation; and suits at law, or in equity, may be prosecuted and maintained by any of its members against the said corporation for any losses or damages, if payment of the same is withheld more than three months after the corporation is duly notified thereof.

Assessment to pay losses. SEC. 11. That the Directors of the corporation shall, on receiving notice of any loss or damage, and ascertaining the same, or on the rendition of any judgment against the said corporation for any loss or damage, settle and determine the sums to be paid by its several members as their respective proportions of such loss or

damage, and shall notify them in such manner as they shall see fit, or as the by-laws shall prescribe; and the sum to be paid by each member shall be in proportion to the amount of his note, or notes, and shall be paid into the said corporation within thirty days next after such notification; and if any member shall neglect or refuse to pay the sum assessed upon him as his proportion of any loss or damage as aforesaid, for the space of thirty days after such notification, the said Directors may sue for and recover such sum, with interest and costs, in any Court of law in this State having jurisdiction in such cases, and every such member shall forfeit all right and claim under any policy he may have obtained, and shall be no longer a member of the said corporation.

A. D. 1875.

Penalty for default.

SEC. 12. That no transfer of any policy shall be valid until entered on the books of the said corporation. When transfers to be valid.

SEC. 13. That the said corporation shall have power to guarantee the payment, punctual performance and collection of promissory notes, bills of exchange, contracts, accounts, claims, rents, bonds, mortgages, choses in action, evidences of debt, and value of the titles to real and personal property; to receive upon storage or deposit or otherwise, merchandise, bullion, specie, currency, stocks, bonds, promissory notes, certificates and evidences of debt, contracts, or other property, to take the management, custody and charge of real and personal property, and to advance money, security and credit upon property, real and personal, upon such terms, and for such consideration as may be agreed upon between the parties to such transactions; and to loan such portion of the money on hand as may not be immediately wanted for the purposes of the said corporation, upon good and valid security, of whatsoever kind or character the Directors of the said corporation shall see fit; and make investments in bonds and mortgages of real estate, and in bonds and stocks of the United States and of this State, in promissory notes, bills of exchange and other securities, and receive legal interest for any loans made by it, together with such other compensation as may be agreed upon between the parties.

Special pow-  
ers.

SEC. 14. That the principal office for carrying on the business of the said corporation shall be located at Columbia, in this State.

Location of  
principal office.

SEC. 15. That this Act shall take effect immediately after its passage, and shall continue in force for the term of fifty years.

Approved March 24, 1875.

A. D. 1875. AN ACT TO PROCURE A SITE FOR THE LAZARETTO, ON MORRIS'  
 No. 769. ISLAND.

*Site for Lazaretto.* SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be and he is authorized and required to appoint three persons, to be known as a Board of Commissioners, to procure a site for the Lazaretto, now situated on Morris' Island.

*Appropriation.* SEC. 2. That the sum of five hundred dollars be, and the same is hereby, appropriated for the purpose of procuring said site, and for the removal of the buildings now used thereto.

Approved March 24, 1875.

No. 770. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ADMINISTRATION OF DERELICT ESTATES."

*Clerks of Court to transmit administrations to successors.* SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all administrations of derelict estates heretofore granted to Clerks of the Court of Common Pleas, or that may hereafter be granted to them, under the Act of the General Assembly "to provide for the administration of derelict estates," approved February 26, 1873, and amended by the Act of the General Assembly, approved March 17, 1874, be transmitted to the successors in office of such said Clerks, by virtue of such succession in office, without new application on the part of such successors in office, and without further order of the Court of Probate making the original grant of administration.

*Acts of successors of same validated.* SEC. 2. All acts done by such said successors in office of the said Clerks of the Court originally appointed under the said Act of the Assembly, not inconsistent with the duty of administrations, are hereby ratified and affirmed, and made of the same force and effect as if done by the Clerks of the Court originally appointed to administer such said estate.

*To turn over to successors all moneys, &c., in their hands belonging to such estates.* SEC. 3. That it shall be the duty of all outgoing Clerks of the Court of Common Pleas to turn over to their successors in office all property, choses in action, money, and other assets of such said estates in their hands, and that such successors shall have the right to compel the performance of that duty by proceedings for that purpose in the Court of Probate having jurisdiction of the particular estate.

SEC. 4. That all Acts or parts of Acts inconsistent with, or supplied by, the provisions of this Act, be, and the same are hereby repealed.

A. D. 1875.

Approved March 24, 1875.

**AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW JAIL NO. 771.  
IN AND FOR THE COUNTY OF FAIRFIELD.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Fairfield County are hereby authorized and empowered to sell and convey the building known as the County Jail, and the lot whereon the same is erected, in the town of Winnsboro. The said sale to be made at public outcry, at such time or times, on such terms, and in such parcels, as the said Commissioners shall think proper, after advertisement thereof for at least thirty days: *Provided*, That all the proceeds over and above the amount of purchase of a new site shall be deposited in the Treasury of the County, and shall be designated as the new jail fund, to be drawn out, from time to time, on the warrants of the Commissioners; said warrants specifying that they are for the construction of new jail.

Sale of old jail authorized.

Disposition of proceeds.

SEC. 2. That the said County Commissioners are further authorized and empowered to purchase or accept a suitable site for a new jail in the town of Winnsboro, and to take the titles therefor, executed to the County of Fairfield, to and for the use of said County.

County Commissioners to purchase site.

SEC. 3. That the said County Commissioners are further authorized and empowered to build and erect a new jail upon the site selected, as provided in Section 2 of this Act, and that the contracts for the erection of such building shall not be binding or valid until approved by the Circuit Judge.

Also to build new jail.

Approved March 24, 1875.

**AN ACT TO AMEND SECTIONS 3 AND 8 OF AN ACT ENTITLED No. 772.  
"AN ACT TO AMEND CHAPTER XLV OF TITLE XI, PART I, OF  
THE GENERAL STATUTES, RELATING TO THE REPAIRS OF  
HIGHWAYS AND BRIDGES," SO FAR AS THE SAME RELATES TO  
OCONEE AND PICKENS COUNTIES.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1875. General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to amend Chapter XLV of Title XI, Part I, of the General Statutes, relating to the repairs of highways and bridges," be, and the same is hereby, amended, so far as the same relates to Oconee and Pickens Counties, by striking out the word "six," on the eighth line thereof, and inserting the word "ten" in place of the same.

<sup>"Ten."</sup> in-  
serted in lieu  
of "six."

SEC. 2. That Section 8 of the same Act be, and the same is hereby, amended, so far as the same relates to Oconee and Pickens Counties, by striking out the word "eighteen," on the first and second lines thereof, and inserting the word "sixteen" in place of the same; by striking out the words "forty-five," on the second line thereof, and inserting the word "fifty" in place thereof; by inserting between the word "years" and the word "shall," on the second

Exemptions. line thereof, the words "except ministers of the gospel and teachers of schools and colleges;" by striking out the word "six," on the third line thereof, and inserting the word "ten" in place of the same; and by adding at the end thereof the following words, to wit:

<sup>"Ten"</sup> in lieu  
of "six."

Warner's re- "The warner, for such services, shall be entitled to an exemption of five days' labor on the public highways and roads."

ward.

Approved March 24, 1875.

No. 773. AN ACT TO INCORPORATE THE GERMAN SCHOOL ASSOCIATION OF CHARLESTON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles Corporators. Voigt, F. Puckhaber, H. H. Knee, D. Werner, J. H. Thiele, F. D. C. Kraeke, J. C. H. Claussen, C. H. Eberhart, F. Melchers, F. J. Lilienthal, William Ufferhardt, C. H. Bergmann, C. G. Ducker, J. C. W. Bischoff, John F. Mier, and their associates and successors, be, and they are hereby, created a body politic and corporate, under the name and style of the German School Association of Charleston, South Carolina, for the purpose of carrying on a school, academy or institution of learning in the city of Charleston, with a capital stock of nine thousand dollars.

Corporate  
name.

Capital stock. SEC. 2. That the capital stock of the said corporation shall be divided into shares of the sum of thirty dollars each.

May increase the same. SEC. 3. That the said corporation shall have power, from time to time, to increase their capital stock to any amount not exceeding one hundred thousand dollars, including their present capital stock, whenever a majority of their stockholders present at any general

meeting, or the Board of Directors, by their authority, shall determine; and such additional stock shall be divided equally among the stockholders in proportion to their shares in the capital stock of the company at the time of such increase; but in case any stockholder should not desire to take his or her proportion of such increased stock, the same shall be allotted among the remaining stockholders, or books may be opened for the purpose of obtaining additional subscribers to such increased stock in such manner as the corporation may deem expedient; and in no case shall the members who are unwilling to take their proportion in such increase of stock be assessed to contribute or make up such increase; such additional stock shall be subject to all the same provisions, restrictions and conditions as are directed by the provisions of this Act; and any such additional subscribers shall thereby become members of this corporation, and be subject, in like manner, in proportion to their interest, to all the burdens, liabilities, responsibilities and conditions imposed upon the members of this corporation.

A. D. 1875.  
Additional  
stock how to  
be disposed of.

SEC. 4. That if the proprietor of any share shall neglect to pay any installments assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the corporation, on the order of the Directors, may sell, by public auction, a sufficient number of shares standing in the name of such stockholder, to pay all the installments then due from him or her, with all necessary incidental charges. The Treasurer shall give notice of the time and place of sales, and of the sum due, by advertising the same at least once a week for three weeks successively before the sale, in one of the Charleston newspapers, and a bill of sale of the share or shares so sold, made by the Treasurer, shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof.

Stock of de-  
linquentshare-  
holders may be  
sold.

Notice to be  
given of time  
and place of  
sale.

SEC. 5. That every shareholder shall be individually liable for the debts contracted during the time he or she shall be a shareholder in said corporation, to the extent of ten per cent. of the par value of his or her shares in the same: *Provided*, That no person holding such stock as collateral security shall be personally subject to any liability as a stockholder of such corporation, but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder accordingly: *And provided, further*, That no stockholder shall be personally liable for the payment of any debt contracted by the said corporation, which is not to be paid within one year from the time the debt is contracted, nor unless a suit be brought against said corporation within one year after the debt shall become due, and no suit shall be brought against any stockholder who shall cease to be a stockholder in said corporation

Liability of  
shareholders.

Proviso.

Proviso.

A. D. 1875.

for any debt so contracted, unless the same shall be commenced within two years from the time he or she shall have ceased to be a stockholder in said corporation, nor until an execution against the corporation shall have been returned unsatisfied in whole or in part.

Officers.

SEC. 6. That the said corporation shall have such number of officers as shall be ordained by the rules and by-laws to be made for their government and direction, and shall have power and authority to make all rules and by-laws not repugnant to the laws of the land; to regulate the issue of scrip and transfer of shares; to have and keep a common seal, and the same to alter at will; to sue and be sued; to plead and be impleaded in any Court of law or equity; to take, by purchase, devise or otherwise, and to hold, sell and alien in fee simple, or for any less estate, or mortgage, lands, tenements, hereditaments, goods, chattels, rights, credits and property of any kind, and to make all contracts necessary for the purposes of the corporation.

Certain immunities and exemptions conferred.

SEC. 7. That the said corporation shall be entitled to the immunities and exemptions contained in the third clause of the sixth Section of the Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same," approved the nineteenth day of March, eighteen hundred and seventy-four.

SEC. 8. This Act shall be taken and deemed a public Act, and shall be judicially taken notice of without special pleading.

Approved March 24, 1875.

No. 774. AN ACT RELATIVE TO CONTRACTS FOR THE EXECUTIVE DEPARTMENTS OF THE STATE GOVERNMENT, AND FOR THE GENERAL ASSEMBLY.

Comptroller General to advertise for proposals.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized and required to advertise, in the Daily Phoenix, published in the city of Columbia, and the News and Courier, published in the city of Charleston, for proposals to furnish the several Executive Departments of the State Government with such books and stationery as may be necessary for their use during the current fiscal year, respectively, the numbers, character and quality of such books, and the amount and quality of such stationery, to be particularly set forth in the advertisement.

SEC. 2. That the Clerk of the Senate be, and he is hereby, authorized and required, at the same time, to advertise, in like manner, for proposals to furnish that body with such stationery as may be necessary for its use during the current fiscal year, the amount and quality of such stationery to be particularly set forth in the advertisement:

A. D. 1875.  
 Clerk of Sen-  
 ate to advertise  
 for proposals.

SEC. 3. That the Clerk of the House of Representatives be, and he is hereby, authorized and required, at the same time, to advertise, in like manner, for proposals to furnish that body with such stationery as may be necessary for its use during the current fiscal year, the amount and quality of such stationery to be particularly set forth in the advertisement.

Clerk of  
 House to ad-  
 vertise for pro-  
 posals.

SEC. 4. That it shall be the duty of the said officers, on or before the first day of July in the present year, and in each year hereafter, to advertise, in like manner, for proposals, respectively, such as aforesaid, for the ensuing fiscal year, the particulars, as aforesaid, to be set forth in the advertisements respectively. And the several heads of departments of the State Government shall, at least ten days previous to that day, furnish to the Comptroller General a list and description of such books and stationery as may be necessary for their use for such ensuing fiscal year respectively.

Heads of de-  
 partments to  
 furnish esti-  
 mates.

SEC. 5. That it shall be the duty of the Keeper of the State House and State Librarian, at the same time, to advertise, in like manner, for proposals to furnish the several Executive Departments of the State Government, the Senate and House of Representatives, with such coal as may be necessary for their use for such ensuing fiscal year, the amount and quality of such coal to be particularly set forth in the advertisement. And the several heads of departments of the State Government, and the Clerks of the Senate and House of Representatives, shall, at least ten days before that time, furnish to the Keeper of the State House and State Librarian a statement of the amount of coal that may be necessary for their use for such fiscal year respectively.

Proposals for  
 coal.

Heads of de-  
 partments to  
 furnish esti-  
 mates.

SEC. 6. That the proposals shall be addressed to the officer advertising for the same, and shall be opened by him on the day named in his advertisement, in the presence of a Board, consisting of the Governor, Secretary of State and Attorney General, and the contract shall be awarded by him to the lowest responsible bidder; but such contract shall be of no effect until approved by the said Board.

Supervising  
 Board.

SEC. 7. That in all cases where contracts are awarded and approved under the provisions of this Act, the party or parties to whom a contract may be awarded shall, before entering on the performance thereof, give a bond, with sufficient security, on such terms as may be prescribed by the Attorney General, conditioned for its

Contracting  
 parties to give  
 bond.

A. D. 1875. faithful performance ; and, in case of his or their failure to do so, within thirty days after it has been awarded and approved, it shall be awarded to the next lowest responsible bidder.

Contracts and bonds to be filed. SEC. 8. That all contracts awarded and approved under the provisions of this Act, and all bonds given for their faithful performance, shall be filed in the office of the Secretary of State, who shall preserve a record of the same.

Heads of Departments not to purchase other books, &c. SEC. 9. That it shall not be lawful for any of the heads of departments of the State Government, or for any of the officers of the Senate or House of Representatives, to purchase any other books, stationery or coal for their use, respectively, than are provided for in this Act.

Comptroller General to draw warrant on Treasurer. SEC. 10. That the Comptroller General, upon becoming satisfied that the contracts made pursuant to the provisions of this Act have been faithfully performed, shall draw his warrant upon the Treasurer for the amount of said contract.

\$20,000 appropriated. SEC. 11. That the sum of twenty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated from the phosphate royalty ; and the State Treasurer is hereby authorized to retain in the Treasury each year a sufficient amount of the revenue derived from the phosphate royalty, as aforesaid, to meet the payments provided for in this Act.

Approved March 24, 1875.

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No. 775. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ESTABLISH THE CHARLESTON CHARITABLE ASSOCIATION, OF THE STATE OF SOUTH CAROLINA, FOR THE BENEFIT OF THE FREE SCHOOL FUND."

Charter repealed. Be it enacted by the Senate and House of Representatives of the State of Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to establish the Charleston Charitable Association, of the State of South Carolina, for the benefit of the Free School Fund," approved March 8, 1871, be, and the same is hereby, repealed.

Approved March 24, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE RELIEF OF THE WIDOWS AND ORPHANS OF PERSONS KILLED BECAUSE OF THEIR POLITICAL OPINIONS," APPROVED MARCH 13, 1872.**

A. D. 1875.  
No. 776.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act for the relief of the widows and orphans of persons killed because of their political opinions," approved March 13th, 1872, be, and the same is hereby, amended as follows: In Section 1, line 8, immediately after the words "each and every of said Counties," insert the words "except in the County of Spartanburg, where a tax of one-sixteenth (1-16) of a mill shall be levied and collected."

County of  
Spartanburg,  
exception in  
favor of.

Approved March 24, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE ELECTION OF MAYOR AND ALDERMEN OF THE CITY OF CHARLESTON."** No. 777.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section (3) three of an Act to regulate the election of Mayor and Aldermen of the city of Charleston be, and the same is hereby, amended by striking out the word "five" and inserting instead the word "three;" and by adding after the word "Charleston," in said Section, the words "who shall hold their offices, unless removed by the Governor for cause, until thirty days before the next election for said city."

**SEC. 2.** That Section (5) five of said Act be amended by adding thereto the following words, to wit: "The said Commissioners shall, at least five days before the day of election, give public notice by advertisement in one of the newspapers published in said city of the polling places, and the Managers appointed for each polling place; and no changes shall be made prior to said election, except that the said Commissioners may fill a vacancy caused by the death or inability to serve of any Manager, and no Commissioner nor Manager shall be a candidate for election."

**SEC. 3.** That Section (6) six of said Act be stricken out, and the following be substituted as Section (6) six thereof: "The polls shall be opened at the polling places which shall have been published, at six o'clock in the morning, and close at six o'clock in the afternoon of the day of election, and shall be kept open without intermission.

Commissioners of Election, term of office.

Public notice of polling places to be given.

Vacancies.

Polls, when to be opened.

A. D. 1875.  
Oath. or adjournment, and the Managers shall administer, when demanded by any qualified voter, to each person offering to vote the following oath: 'I do solemnly swear (or affirm) that I am qualified to vote according to the Constitution of this State; that I have been for sixty days a resident of this city, and that I have not voted at any other polling place during this election.' And if demanded by any qualified voter, the residence of any person challenged shall be entered upon the poll list by the Clerk, and in case the right to vote be challenged, the Managers shall decide the matter summarily."

Challenges.

SEC. 4. That Section (8) eight of said Act be amended by inserting after the word "canvass" the words "in public;" and by adding, at the end of the Section, the words "subject to appeal, on questions of law, to the Supreme Court."

SEC. 5. That Section (10) ten be amended, by striking out the word "three" and inserting "two," and by striking out "four" and inserting "three."

Approved March 24, 1875.

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No. 778. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE LANGLEY MANUFACTURING COMPANY," APPROVED 1868.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the Langley Manufacturing Company of Edgefield County" be, and the same is hereby amended, by striking out the word "six," on the twelfth line, and inserting in lieu thereof the word "eight."

"Eight" inserted in lieu of "six."

SEC. 2. That Section 4 of said Act be amended by striking out the word "fourteen," on the second line, and inserting in lieu thereof the words "twenty-five."

"Twenty-five" inserted in lieu of "fourteen."

Approved March 24, 1875.

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No. 779. AN ACT TO REPEAL AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOLL BRIDGE ACROSS THE SAVANNAH RIVER AT HAMBURG, SOUTH CAROLINA, APPROVED FEBRUARY 22, 1873.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

and by the authority of the same, That an Act to renew and amend the charter of the toll bridge across the Savannah River, at Hamburg, South Carolina, approved February 22, 1873, be, and the same is hereby repealed.

A. D. 1875.

Charter re-

Approved March 24, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF WESTMINSTER, IN THE COUNTY OF OCONEE."** No. 780.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the town of Westminster, in the County of Oconee," approved the seventeenth day of March, 1875, be, and the same is hereby, amended by striking out the word "March" wherever it occurs in said Section, and inserting in place thereof the word "April." *March*, <sup>stricken out</sup> and <sup>inserted.</sup> "April"

SEC. 2. That the said Act be and remain in full force and virtue in all other respects.

Approved March 25, 1875.

**AN ACT TO INCORPORATE THE TOWN OF FORT MOTTE, IN THE COUNTY OF ORANGEBURG.** No. 781.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided in the town of Fort Motte shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Fort Motte, and its corporate limits shall extend one-fourth of one mile from the point of crossing the bridge over the South Carolina Railroad, near Duncan & Wingard's store, in a direction due north, east, south and west, and shall include a square formed upon the extremities of lines so drawn. *Corporate name.* *Limits.*

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and of this State, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the first Monday *Time of holding election.*

A. D. 1875. of May, 1875, and every year thereafter on the first Monday of May, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas for the County of Orangeburg shall designate three suitable persons, Managers of citizens of the said town, to act as Managers of the election, and that the Intendant and Wardens for the time being shall, annually, appoint Managers to conduct each ensuing election.

Powers and privileges. SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Lewisville by an Act entitled "An Act to incorporate the town of Lewisville, S. C.," of February 28, 1872.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 25, 1875.

No. 782. AN ACT TO DECLARE RANTOWLE'S BRIDGE, AND THE CAUSEWAY ATTACHED THERETO, PUBLIC HIGHWAYS, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Rantowle's Bridge and causeway public highways. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the bridge across the north branch of the Stono River, commonly known as "Rantowle's Bridge," and the causeway attached thereto, be, and the same are hereby, declared to be public highways.

County Commissioners to repair. SEC. 2. That the Boards of County Commissioners of Charleston and Colleton Counties be, and they are hereby, authorized, directed and required, jointly, to take charge of such bridge, place the same in proper repair, or, if they should deem it necessary, to cause to be built at once a substantial bridge in the place of the said Rantowle's Bridge; and the expense of building said bridge shall be equally divided between the said Counties of Charleston and Colleton.

Contract to be awarded. SEC. 3. That for the purpose of carrying into effect the provisions of the foregoing Section, the Boards of County Commissioners of Charleston and Colleton Counties are hereby directed to enter into contract with any responsible party or parties for building the said bridge, said contract to be awarded to the lowest responsible bidder

therefor, after public notice, published in the official newspapers of Charleston and Colleton Counties for thirty days, of the conditions thereof.

SEC. 4. That the said bridge shall be free, and no toll or charges whatever be collected for crossing said bridge. A. D. 1875.  
Bridge to be  
free.

SEC. 5. That all Acts or parts of Acts, Joint Resolutions or parts of Joint Resolutions, inconsistent with the provisions of this Act, be, and the same are hereby, repealed.

Approved March 25, 1875.

**AN ACT TO AMEND SECTIONS 4 AND 12 OF CHAPTER CXLV OF THE GENERAL STATUTES, RELATING TO THE STATE PENITENTIARY.** No. 783.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of Chapter CXLV of the General Statutes be, and the same is hereby, amended by adding at the end of paragraph 3 thereof the following words, to wit: “*Provided, however,* That he shall, before the first day of November in each year, advertise for proposals for furnishing all articles that may be needed for the institution for the ensuing fiscal year, the character and quality of the articles to be particularly set forth in the advertisement, which proposals shall be opened by him, on the day mentioned in the advertisement, in the presence of the Directors, and the contract shall be awarded by him to the lowest responsible bidder, subject to their approval, and that no articles shall be purchased by him for the prison except those contracted for as herein provided, without the written approval of the Directors: *Provided, further,* That no Director or the Superintendent shall become a bidder or contractor for furnishing articles, provisions or materials for the said institution; nor shall any Director or Directors have any interest in any contract for furnishing the institution as aforesaid.” By adding at the end of paragraph 7 thereof the following words, to wit: “*Provided, however,* That all accounts for payment, including the pay roll, shall be submitted to the examination of the Directors on the first Monday of every month, and, on their approval of the same, shall draw his order on the Comptroller General, countersigned by the Chairman of the Directors, for the aggregate amount thereof; and that he shall not draw any order on the Comptroller General without such counter signature; and, also, that he shall pay out all moneys at such times and in such

Proposals for supplies.

Awarding of contracts.

Directors and Superintendent not to contract or bid.

Accounts to be submitted to Directors.

A. D. 1875.  
Reports. manner as the Directors may from time to time direct." And by adding at the end of paragraph 8 thereof the following words, to wit: "And to make such monthly reports to the Directors as they may, from time to time, require."

Approved March 25, 1875.

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**No. 784. AN ACT TO AMEND AND EXTEND THE CHARTER OF THE PEOPLE'S BANK OF SOUTH CAROLINA," AND TO AMEND THAT OF THE PLANTERS' AND MECHANICS' BANK OF SOUTH CAROLINA."**

**Preamble.** Whereas the capital of the People's Bank of South Carolina has been reduced by losses, the result of the war, from one million of dollars to eighty thousand dollars, whereby the shares, originally worth twenty-five dollars each, are at present worth in reality but two dollars each, thereby rendering the consolidation of the said original shares absolutely necessary, and leave so to do has been asked by the President and Directors of the said bank; and, whereas, since the last amendment of the charter of the Planters' and Mechanics' Bank of South Carolina, the estimated capital thereof has been greatly reduced by the presentation and redemption of a much larger amount of their outstanding bills than was then allowed for, and they have, by their petition, asked for several amendments in their charter also:

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Directors of the said Peoples' Bank be, and they are hereby, author-

**Shares to be consolidated.** ized to consolidate the shares of the said bank by calling in their said shares and issuing one share of the par value of twenty dollars for every ten of their present shares, so that the number of shares shall be reduced from forty thousand to four thousand:

**Provided.**, however, That the said bank shall, at the request of any stockholder now holding less than ten shares, redeem his said shares at the rate of two dollars per share: *Provided, also,* That in case any of the original shares have heretofore been consolidated under any resolution of the Directors, such consolidated shares, in the consolidation hereby provided for, shall each be estimated to be equal to four shares of the original capital.

**SEC. 2.** That the said Board of Directors of the Peoples' Bank, before reducing and consolidating the said shares, shall give at least

**Notice of intention to consolidate to be given.** thirty days' public notice in one or more of the newspapers of the city of Charleston of their intention so to consolidate, reduce and

redeem the stock of the said bank, and from and after the day fixed and so publicly notified for the said consolidation, reduction and redemption of the said shares, no one shall be considered or held to be a stockholder of the said bank who has not received a new certificate for the consolidated shares at twenty dollars per share: *Provided, always,* That the holder of any number of original shares, under ten, shall be at liberty to sell and assign the same to whomsoever he may by endorsement upon the certificate held by him, which endorsement shall, without transfer at the bank, entitle the assignee to demand the redemption of the said shares as above provided, or the consolidation of them whenever he has acquired or holds ten, or the multiple of ten shares, at the price or rate as in the first Section of this Act made and provided.

A. D. 1875.

Original  
shareholders  
may sell and  
assign shares.

SEC. 3. That the said Board of Directors of the People's Bank are hereby further authorized and empowered, from time to time, to increase the number of shares and the capital of the said bank at any time after thirty days' notice of their intention so to do, published in one or more newspapers of the city of Charleston, to a number not exceeding in the whole fifty thousand shares, each to be of the par value of twenty dollars, and to open books of subscription for such additional shares, under such regulations as they shall prescribe: *Provided, always,* That the stockholders shall have preference in subscription to the increased stock in proportion to the amount then held by them.

Shares may  
be increased.

Proviso.

SEC. 4. That the said People's Bank is hereby further authorized to receive deposits in such sums, and at such times, as the Board of Directors may state by public advertisement, and pay the same with a stipulated rate of interest upon them at stated periods, the interest to be paid in money or to be placed at the credit of said depositors upon the same terms and conditions as the original deposits. That all such deposits as may be received by said corporation, under the authority conferred in this Section, may be invested in any public stock or bonds created by virtue of any law of this State, or any ordinance of the city of Charleston, or in the capital stock of any bank within this State, or in United States stocks or bonds, or in the stocks or bonds of any railroad company incorporated in this or in any other State, or such deposits may be loaned on promissory note secured by pledges of such stocks at not more than their market value, or on bonds secured by mortgage of real estate lying within the city of Charleston, at not more than seventy-five per cent. of the market value of such real estate: *Provided,* That no Director or other officer of said corporation shall borrow any part of the moneys so received on deposit by virtue of this Section.

May receive  
deposits.

How to be  
invested.

SEC. 5. That the number of the Directors of the said banks shall

Directors not  
to borrow  
money.

A. D. 1875. Directors, and may be reduced from thirteen (the present number) to not less than five at and after the next annual election to be held under the present charter, such reduction to be proposed by the present or any future Board of Directors of each and either of the said banks and submitted for their approval to a general meeting of the stockholders to be called for that purpose.

Meeting to be called for that purpose. Proviso. notice by public advertisement in the two daily newspapers of the city of Charleston, stating the day and hour and the purpose of said meeting in the said advertisement, which said advertisement shall be published at least three times a week, for the said four weeks, in each of the said newspapers before the day of the said meeting: *Provided*, That should no quorum assemble at said meeting, the failure to have a quorum shall be considered as an approval by the stockholders of said proposition adopted by said Board of Directors.

Change in system of voting. SEC. 6. That on and after the day of the annual election for Directors of the said banks next after the passage of this Act, the present scale of voting by the stockholders shall be abolished, and each of the shares already consolidated, or which may, before that day, be consolidated, according to, and under the provisions of this Act, or of the Act of the General Assembly entitled "An Act to amend and extend the charter of the Planters' and Mechanics' Bank of South Carolina, and for other purposes therein named," passed on the 9th day of December, in the year of our Lord, 1870, shall entitle the holders thereof to one vote, without regard to the number held by him.

Unconsolidated shares. SEC. 7. That the shares held prior to the consolidation made under the said last mentioned Act of Assembly, which shall remain unconsolidated on the day of the said annual election for Directors of the said banks shall thenceforth cease to entitle the holders thereof to any other right or interest in the said banks, except to be paid the sum of one dollar for each such share upon surrender of scrip held for the same.

Reduction of number of shares. SEC. 8. That whenever it may, in the opinion of the President and Directors of the said banks, be best for the interest of the stockholders to reduce the number of shares then outstanding, either for the purpose of preserving or increasing their par value, not to exceed one hundred dollars per share, such Board of Directors may

Meeting to be called for the purpose. arrange and submit to a meeting, to be called for that purpose, and advertised for the time and in the manner provided hereinbefore, in regard to the reduction of the number of Directors, a scheme for such reduction and consolidation, which, if approved by said meeting, if a quorum shall so assemble on the day appointed, or if no quorum shall so assemble on that day, shall from and after that day

be adopted, and the shares shall be thereupon reduced and consolidated according to scheme, and new scrip issued therefor, each of which new shares shall thenceforward entitle the holder to a vote, and no one holding shares unconsolidated according to that scheme shall be entitled to a vote.

SEC. 9. The present charters of the said banks are hereby altered and amended, as in the previous Sections of this Act is provided; and in all other respects the said charters are hereby confirmed as if these provisions had been originally incorporated in the said charter.

A. D. 1875.

Original charter confirmed, with certain exceptions.

Approved March 25, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF RIDGEVILLE," IN THE COUNTY OF COLLETON.**

No. 785.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Ridgeville," approved February 23, 1875, be, and the same is hereby, amended by striking out, wherever it occurs in said Act, the words "in March," and insert "March" stricken out and "May" inserted. in lieu thereof the words "in May," so as it will read: "That the first election to be holden in said town shall be the first Monday in May, 1875."

Approved March 25, 1875.

**AN ACT TO REPEAL ALL ACTS AND PARTS OF ACTS REQUIRING DEPOSITS BY INSURANCE COMPANIES OF STOCKS OR BONDS OF THIS STATE, OR OF THE UNITED STATES, FOR THE PROTECTION OF POLICY HOLDERS WITHIN THE STATE.**

No. 786.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 98, 99, 100 and 101, Chapter XVII; and Sections 1, 2, 3, 4 and 10, Chapter LXII, of the General Statutes of South Carolina; and also an Act entitled "An Act to amend Sections 98, 99 and 100, Chapter XVII, of the General Statutes of South Carolina, relating to holders of insurance policies," approved February 14th, 1873, be, and the same are hereby, repealed.

Repeal of certain Sections, &c.

A. D. 1875. SEC. 2. That the Comptroller General be, and he is hereby, authorized and required to return all bonds or stocks heretofore deposited in pursuance of the laws repealed by the preceding Section, except such as have been attached by process of law pending suits now before the Courts, to the person or persons, company or association who may have deposited the same.

*Deposits  
heretofore  
made to be  
returned to  
owners.*

Approved March 26, 1875.

No. 787.

AN ACT TO INCORPORATE THE BANK OF MARION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. Graham, T. E. Stackhouse, H. E. Hayne, C. Gregg, J. M. Johnson, Isaac B. Grainger, David R. Murchison, Charles M. Stedman, J. W. Atkinson, H. Vollers and C. Smith, their future associates and successors, shall be, and they are hereby, constituted a body politic and corporate, by the name and style of "The Bank of Marion," for the term of thirty years, and, as such corporation, shall have and may exercise and enjoy all the rights, powers and privileges incident to or enjoyed by any bank or banking institution now existing as a corporation under or by virtue of the laws of this State.

*Capital stock.* SEC. 2. The capital stock of said corporation shall not be less than fifty thousand dollars, and may be increased from time to time, as said corporation may elect, to a sum not exceeding two hundred thousand dollars, and the same shall be held by the corporators in said corporation in shares of twenty-five dollars each.

*Books of subscription to be opened.* SEC. 3. The corporators in the first Section named, or any three of them, may open books of subscription to the capital stock of said bank, at such time or times, and at such places, and for such periods, as a majority of the corporators named may determine, and so soon as the sum of fifty thousand dollars shall be subscribed thereto, the before named corporators, or a majority of them, on such notice as they may consider sufficient, shall call a meeting of such subscribers to be held at the town of Marion, in the County of Marion, in this State; and at such meeting, and at all future meetings of the stockholders of said bank, the shares of the capital stock may be represented in person or by proxy. The subscribers to said

*Election of Directors.* stock, at their meeting to be held as aforesaid, shall elect from themselves such a number of Directors of said corporation as they may think proper, who shall continue in office for one year, and until their successors shall be duly elected, and thereafter there

shall be annual meetings of the stockholders of said bank, at which Directors shall be chosen, whose tenure of office shall be as above provided. The Directors chosen or elected at any such meeting shall, from among themselves, elect a President and a Vice President, to act as such during the term of office of such Directors, and they shall perform such duties and exercise such powers as may be prescribed by the by-laws of said corporation, or as shall be incident to their respective offices.

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President and  
Vice President  
to be chosen.

SEC. 4. The said corporation may receive and pay out the lawful currency of the country, deal in exchange, gold and silver coin, bullion, uncurrent paper, public and other securities, and stocks of other corporations; may purchase and hold such real and personal property and estate as may be conveyed to it to secure debts to the corporation, or may be sold under execution to satisfy any debt due in whole or in part to the corporation, and may sell and dispose of the same; may purchase and hold such real estate as may be deemed necessary or convenient for the transaction of its business, and may sell and dispose of the same at pleasure; may discount notes, bills of exchange, bonds and other evidences of debt, and lend money on such terms as may be agreed on. It may receive on deposit moneys on such terms as may be agreed on with depositors, and issue certificates therefor, negotiable or assignable in such way as may be inserted in the same. Said corporation may sue and be sued, plead and be impleaded in any Court in this State, may adopt and use a corporate seal, and alter the same at its pleasure, may adopt all such by-laws for the general management and direction of the business and affairs of said corporation, not inconsistent with the laws of this State, as may be deemed proper, and have all such other rights and privileges as are or may be conferred on corporations by the general laws of this State: *Provided*, That the stockholders shall be liable to the amount of their respective share or shares of stock, for all its debts and liabilities, upon note, bill or otherwise, and upon the further condition that no Director or other officer of said corporation shall borrow any money from said corporation; and if any Director or other officer shall be convicted, upon indictment, of directly or indirectly violating this Section, he shall be punished by fine and imprisonment at the discretion of the Court. The books, papers and accounts of said bank shall be open to inspection under such regulations as may be prescribed by law.

Powers and  
privileges.

Liability of  
stockholders.

Penalty for  
violation of  
certain pro-  
visions.

SEC. 5. The President and Directors of said corporation may appoint all necessary officers and employees of said corporation, fix their compensation, and take security for the faithful discharge of their respective duties, prescribe the manner of paying for the stock

President and  
Directors to  
appoint officers.

A. D. 1875.

of the corporation, and the transfer thereof; and may, from time to time, prescribe such penalties for the non-payment of subscriptions to the capital stock of the corporation as they may deem proper, and the same, together with any unpaid instalments on such subscriptions, may be recovered in any Court having jurisdiction of the aggregate amount so due, or the stock may be sold for cash, after twenty days' notice, advertised in a newspaper published in said town of Marion; and if, at any such sale, the sum bid should not be sufficient to satisfy and discharge the amount so due, together with the costs and charges incident to such sale, the subscriber in default shall be liable for any deficiency, and the same may be recovered in the name of the corporation in any Court having jurisdiction.

*Delinquent stock may be sold.*

Approved March 26, 1875.

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No. 788. AN ACT TO ALLOW JOAB COTTON TO ERECT TWO GATES ACROSS THE GARNER'S FERRY ROAD, IN RICHLAND COUNTY.

*Joab Cotton to erect gates.*

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joab Cotton, of the County of Richland, be, and he is hereby, empowered to erect two gates across the Garner's Ferry Road, in Richland County.

SEC. 2. That this Act shall take effect immediately after its passage, and continue in force until repealed.

Approved March 26, 1875.

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No. 789. AN ACT TO REQUIRE THE COUNTY TREASURER OF PICKENS COUNTY TO ATTEND AT SUNDRY PLACES IN SAID COUNTY FOR THE COLLECTION OF TAXES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the Treasurer of Pickens County to attend, annually, at the following places in said County for the collection of taxes, viz: Easley Station, Abner Odell's, Central Station, Howard's Shop, Pickens Court House, Dacusville, Pumpkintown and Eastatoe Camp Ground, at least two days at each place: *Provided, however,* That the office of said County Treasurer, at Pickens

*Places of collection of taxes designated.*

*Proviso.*

Court House, shall be kept open during the collection of taxes, except when attending other places for the collection of taxes as herein provided.

A. D. 1875.

SEC. 2. That the failure of the County Treasurer to carry out the provisions of this Act shall be deemed a misdemeanor, and, on conviction thereof, he shall be fined not exceeding five hundred dollars, nor less than three hundred dollars.

Approved March 26, 1875.

**AN ACT TO AMEND SECTION 6 OF AN ACT ENTITLED "AN ACT NO. 790.  
TO RENEW AND AMEND THE CHARTER OF THE TOWN OF  
ANDERSON."**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 6 of an Act entitled "An Act to renew and amend the charter of the town of Anderson" be, and the same is hereby, amended, by adding, at the end thereof, the following words, to wit: "Provided, also, That whenever the said Town Council shall impose a fine upon a party convicted of an offense, who shall refuse, or fail, or be unable to pay the same, the said Town Council shall have power and authority to commute his sentence to labor on the public streets of the said town for a period not exceeding twenty days."

Sentence of offenders may be commuted to labor on streets.

Approved March 26, 1875.

**AN ACT TO REGULATE THE COMPENSATION OF THE MEMBERS OF THE GENERAL ASSEMBLY, AND TO FIX THE MILEAGE OF THE SAME.** No. 791.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That each member of the General Assembly shall hereafter receive, for each regular session, such per diem compensation as will amount to and not exceed the sum of six hundred dollars, (\$600,) and the further sum of twenty (20) cents for every mile of the ordinary route of travel in going to and returning from the place where such session is held; and when convened in extra session, each member shall receive the same mileage and per diem compensation as are fixed for the regular session, and none other: *Provided*, That said per diem compen-

Compensation for regular session.

Extra session.

A. D. 1875.

sation of the extra session shall be determined by the per diem compensation of the regular session next preceding such extra session.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 26, 1875.

**No. 792. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF CHESTER.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor shall appoint, by and with the advice and consent of the

Governor to appoint.

Term of office.

Location.

Salary.

When payable.

Reports.

To pay over fees.

Senate, nine Trial Justices for the County of Chester, and no more, to hold their offices for the term of two years, unless sooner removed by the Governor.

SEC. 2. That the Trial Justices so appointed shall be commissioned by the Governor in the following manner, to wit: Two for the village of Chester, one for Lewisville, one for Landsford, one for Hazelwood, one for Battenrough, one for Rossville, one for Blackstock, and one for Harlesville, and shall keep their offices at the respective places for which they are commissioned, which shall be opened from day to day for the transaction of business.

SEC. 3. That instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings and heretofore payable to them by the County, each of said Trial Justices, outside of the town of Chester, shall be allowed a salary of one hundred and fifty dollars per annum, and the two in the town of Chester two hundred and fifty dollars each per annum, payable quarterly on the first Monday of January, April, July and October, by the County Treasurer of such County out of the County funds, and no account or claim, other than for such salary, shall be preferred by, allowed or paid to any Trial Justice of said County on account of criminal proceedings.

SEC. 4. That the said Trial Justices for Chester County are hereby required, on the first of each and every month, to file with the Clerk of the Circuit Court of said County a report duly verified of all the fees and costs charged, and fines imposed, in criminal cases and proceedings had before them, and, immediately upon the filing of such report, the said Trial Justices shall pay over to the County Treasurer of said County the amount of such fees, costs and fines by them severally collected and recovered.

**SEC. 5.** That all the appointments of Trial Justices for the County of Chester, heretofore made, shall cease and determine on the appointment of Trial Justices provided for in this Act, and the Trial Justices provided for in this Act shall enter upon their duties immediately after their qualification.

A. D. 1875.

Former appointments to cease.

**SEC. 6.** That the Trial Justices appointed for Chester County may appoint such proper and discreet person or persons as he may select to serve criminal processes, or to make any arrests required; and such process or warrant shall, when assigned to such person for service, invest the said person, for the purposes therein set forth, with all the powers belonging to the office of a Constable; and he shall, upon accepting any such paper for service, take and subscribe to the oath prescribed by law for the qualifications of Constables, and every such person shall receive, for each paper served, or for each arrest made, the sum of twenty-five cents, except summons for witnesses and jurors, for which he shall receive the sum of ten cents, the same to be paid by the County Treasurer upon the order of the County Commissioners.

Constables.

Fees.

**SEC. 7.** That if either of the Trial Justices appointed for the County of Chester shall neglect to attend to the duties of their offices, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the fees and fines collected by him in his office, he shall be liable to indictment therefore, and on conviction shall be liable to imprisonment for two years, or a fine of five hundred dollars, or both, within the discretion of the Court, and shall be removed from office.

Failure to attend to duties.

Penalty therefor.

**SEC. 8.** That the County Commissioners of Chester County be, and they are hereby, instructed to cause to be set aside annually, out of the County fund, a sum sufficient to pay the salaries of the officers herein provided for, and failure on the part of the said Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty of which shall be fine or imprisonment, as may be deemed best in the judgment of the Court.

Payment of salaries provided for.

**SEC. 9.** The Trial Justices so appointed shall each give a bond of five hundred dollars for the faithful performance of their duties, the bond to be approved by the Judge of the Sixth Judicial Circuit.

Bond.

**SEC. 10.** That the reports required to be made by Section 4 of this Act shall be read in open Court on the first day of the term of the Court of General Sessions after the appointments herein authorized, and on the first day of each term thereafter.

Reports to be read in open Court.

A. D. 1875.

**AN ACT TO PUNISH PERSONS FRAUDULENTLY PACKING COTTON.**

No. 793.

Packing for  
sign substances  
in cotton a mis-  
demeanor.

Penalty there-  
for.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, if any person or persons whomsoever shall be convicted in the Court of General Sessions of this State of knowingly and wilfully packing into any bag, bale or bales of cotton, any stone, wood, trash cotton, cotton seed, water, or any matter or thing whatsoever, or causing the same to be done, with the intent and purpose of cheating or defrauding any person or persons whomsoever, in the sale of such cotton, or shall exhibit or offer for sale any bag, bale or bales of cotton so fraudulently packed, the said person or persons, at the time of the said exhibit or offer for sale, knowing the same to be so fraudulently packed, shall, on conviction thereof, as aforesaid, be sentenced to pay a fine of not more than five hundred dollars, nor less than twenty dollars, and be imprisoned for a term of not more than six months, and not less than one month.

Approved March 26, 1875.

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No. 794. **AN ACT TO INCORPORATE THE STONO PHOSPHATE COMPANY, OF CHARLESTON, AND TO AUTHORIZE THE SAID COMPANY TO BORROW MONEY ON BOND AND MORTGAGE OF THE PROPERTY THEREOF.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Ravenel, James S. Gibbes, and others, their associates, who are now Directors and stockholders of the Stono Phosphate Company, be, and the same are hereby declared to be, a body corporate and politic, under the name of "The Stono Phosphate Company, of Charleston," with the right to own a common seal, to sue and be sued, and to own real and personal property to an amount not exceeding five hundred thousand dollars.

*Par value of shares.* SEC. 2. That the shares of the said company shall be of the number and par value fixed by the said corporation at a general meeting thereof, but that they shall not exceed in par value the sum of five hundred thousand dollars.

*May issue bonds.* SEC. 3. That the said corporation shall be, and it is hereby invested with full power and authority to issue its bonds, sealed with the seal of the said corporation, in sums of one hundred, two hun-

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dred, five hundred and one thousand dollars, bearing a fixed rate of interest, to be mentioned in such bond or bonds, and payable at a time therein to be limited; which bonds shall be secured by a mortgage of all of the property of the said corporation.

SEC. 4. That the said corporation shall not go into operation unless it shall file with the Comptroller General satisfactory proof, within four months from the passage of this Act, that it has paid in and invested at least one hundred thousand dollars of capital. *When to go into operation.*

SEC. 5. That the said corporation shall be subject to all regulations which have heretofore been or may hereafter be imposed on companies engaged in the manufacture of fertilizers. *Subject to regulations imposed on similar corporations.*

SEC. 6. That this Act shall be a public Act, and shall take effect from its passage, and that it shall remain in force for fifteen years from the date of its approval.

Approved March 26, 1875.

AN ACT TO ALTER AND AMEND THE LAW IN RELATION TO THE NO. 795.  
PLACE OF TRIAL OF CIVIL ACTIONS AND SPECIAL PROCEED-  
INGS IN WHICH THE STATE IS INTERESTED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all civil actions and special proceedings brought by the Attorney General in the name or on behalf of the State, and all civil actions and special proceedings wherein it may be the duty of the Attorney General to appear for or on behalf of the State, shall be tried in Richland County. *Actions to be tried in Richland County.*

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 26, 1875.

AN ACT TO ENCOURAGE COLONIZATION IN THE STATE OF SOUTH NO. 796.  
CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Judges of the Circuit Courts be, and they are hereby, authorized to grant charters of incorporation, upon the application of five or more of the members thereof, *Circuit Judges may grant charters.*

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to associations formed for the purpose of establishing colonies or settlements in the State of South Carolina, to carry on any agricultural, mining, mechanical or manufacturing operations, for erecting mills, furnaces or factories, or constructing and operating any turnpikes, plank roads, tramways, railways, or any other suitable forms of road or modes of conveyance, to connect any settlement made by such colony with any line of railroad, canal, river, or other avenue to market, to charge for the use of the same, subject to all the provisions and restrictions of the laws of South Carolina applicable thereto and not inconsistent herewith.

*Form of application.* SEC. 2. The application to the Court for a charter for such associations shall be made in the manner and form prescribed by the law of this State for other corporations in an Act entitled "An Act to provide for granting of certain charters," approved February 20th, 1874: *Provided*, That said application shall be made to the Judges of the Circuit Court, instead of to the Clerk of the Court.

*Powers and privileges.* SEC. 3. Associations incorporated under the provisions of this Act shall be authorized to purchase and hold such land and real estate as may be necessary for the purposes thereof, to sell the same, or portions thereof, to members or others, to purchase and own live stock and implements, to erect mills, factories and furnaces, to construct roads, to build bridges, to borrow money at such rates of interest as may be agreed upon, on mortgage or otherwise, to loan money to members for improvements, to have a common seal, to represent joint property by stock, and to exercise generally all the rights and enjoy the privileges of corporations under the laws of this State, banking excepted.

*Duration.* SEC. 4. That all charters granted under this Act shall continue in force for a period of ten years.

Approved March 26, 1875.

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No. 797. AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE WATeree FREE BRIDGE TO PROTECT THE SAME BY A PROPER ROOF.

*Commission to erect roof.* SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Special Commission constituted by the Act approved February 15, 1872, entitled "An Act to authorize the erection of a certain bridge over Wateree River," be, and they are hereby, authorized and empowered to cause the said bridge erected by them under said Act to be covered by a suitable roof and other structures necessary for its preservation.

SEC. 2. That the said commission be, and are hereby, authorized to issue bonds of the County of Kershaw, to an amount not exceeding three thousand dollars, payable ten (10) years after date, and bearing interest at the rate of eight per cent. per annum, payable annually on the first day of July in each and every year, and to dispose of said bonds in the manner provided for in Section 3 of said Act.

SEC. 3. That the County Commissioners shall provide for the payment of the said bonds and the interest on the same by the levy of an annual tax in the manner authorized in Section 4 of said Act, and the special tax authorized to be levied by them in said Section of said Act shall continue to be levied by the said County Commissioners until the bonds issued under the said Act, and those authorized to be issued under this Act, shall have been fully paid and satisfied, with all the interest that may have accrued for the same.

SEC. 4. That this Act be declared a public Act, and be so taken and deemed in all the Courts of this State.

Approved March 26, 1875.

**AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS PROVIDING FOR THE ASSESSMENT AND TAXATION OF PROPERTY INTO ONE ACT, AND TO AMEND THE SAME."** No. 798.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That paragraph 16, Section 6 and Sections 10, 11, 12, 13, 14, 15, 22, 23, 24, 26, 35, 37, 40, 44, 55, 56, 57, 61 and 83 of an Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same," be, and the same are hereby, amended by striking out the word "July," wherever it occurs therein, and inserting the word "June," in place of the same; and by striking out the word "August," wherever it occurs therein, and by inserting the word "July" in place of the same.

SEC. 2. That Section 41 of the same Act be, and the same is hereby, amended by striking out the word "June," on the fifth line thereof, and inserting the word "May" in place of the same.

SEC. 3. That Section 54 of the same Act be, and the same is hereby, amended by striking out, on the 5th, 6th and 7th lines of said Section, the words "of which written notice shall be given by

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Auditor not to increase returns. the Auditor to such person, at least fifteen days before the meeting of the Board of Equalization," and inserting in place of the same the following words, to wit: "But said County Auditor shall not increase the return as made by any tax-payer, his, her or their agent, except by the authority of the County Board of Equalization."

SEC. 4. That Section 61 of the same Act be, and the same is hereby, amended by striking out the words "as often as the Chairman, or a majority thereof, shall direct," on the twelfth and thirteenth lines thereof, and inserting in place of the same the

County Board of Equalization, when to meet. following words, to wit: "On the first Monday in August, annually;" by inserting between the word "value" and the word "they," on the twenty-first line thereof, the following words, to

Length of session. wit: "Continuing in session from day to day until the entire work is completed. They shall meet thereafter, whenever notified by the County Auditor;" and by adding at the end of said

Notice of time and place of meeting. Section the following words, to wit: "He shall also cause a notice of the time and place of the first day of the second meeting

of the said Board to be published in some newspaper published in his County once a week for at least two weeks previously, or if there be no newspaper published in his County, then he shall cause such a notice to be posted at the County Court House, and at least two other public places in the said County, at least fourteen days previously, and the expense of such notice shall be paid by the County Treasurer, on the warrant of the County Commissioners;

Increased assessments. and he shall also, whenever the assessments upon any property shall be increased by said Board, give notice of such increase to

Notice to be given to tax-payer. the tax-payer at least ten days before the meeting of said Board to take final action upon such assessment, so that he may appear and show cause, if he see fit to do so, why the assessment should not be increased.

Time of meeting of Special Board for Charleston. SEC. 5. That Section 62 of the said Act be, and the same is hereby, amended by striking out the words "first Monday in September," on the sixth line thereof, and inserting the words "last Monday in July" in place of the same.

Abstract of realty, when to be transmitted. SEC. 6. That Section 63 of the said Act be, and the same is hereby, amended by striking out the words "September, one thousand eight hundred and seventy-one," on the second line thereof, and inserting the words "October, one thousand eight hundred and seventy-five," in place of the same.

Time of delinquent sales. SEC. 7. That Section 99 of the said Act be, and the same is hereby, amended by striking out "second Monday," on the tenth line thereof, and inserting "third Monday;" by striking out all after the word "sale," on the fifteenth line thereof; also, striking

out the word "first," on the third line of Section 100, and insert the word "second;" also, strike out the word "second," on the second and fifteenth lines of Section 101, and insert the word "third;" strike out all after the word "thereon," on the eleventh line thereof.

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SEC. 8. That Section 136 of the same Act be, and the same is hereby, amended by inserting between the word "office" and the word "he," on the sixth line thereof, the following words, to wit: "Or, if any County Treasurer, County Auditor, County Commissioner, or member of a County Board of Equalization, shall neglect, refuse or evade the performance of the duties imposed upon him by this Act, or if any County Auditor shall neglect or refuse to comply with the requirements of law in the making up of his duplicate, or shall fail to file with the Comptroller General the abstracts, vouchers and settlement sheets within the time required by law, or if any County Treasurer, after being notified of his removal or suspension from office, shall fail to settle with the County Auditor and Comptroller General, and pay over all State and County moneys in his hands to the officers entitled by law to receive the same within ten days after being so notified."

Penalty for  
non-compli-  
ance with pro-  
visions of Act.

Approved March 29, 1875.

**AN ACT TO ESTABLISH, BY LAW, THE VOTING PRECINCTS IN THE VARIOUS COUNTIES OF THIS STATE.** No. 799.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter at all general and special elections held in this State, the same shall be conducted at the voting precincts which are hereby fixed by law in the various Counties, cities and towns of this State, and the number, location and names of which said precincts, for said Counties, cities and towns, respectively are, and shall be, as hereinafter designated, to wit:

Notice of  
precincts.

In the County of Abbeville there shall be seventeen voting precincts, as follows: Abbeville Court House, Calhoun Mills, St. Charlotte, Cokesbury, Greenwood, Ninety-Six, Donaldsville, Due West, Centerville, Childs' Cross Roads, Smithville, Lowndesville, Magnolia, White Hall, Long Cane and Cedar Springs.

Abbeville.

In the County of Anderson there shall be twenty-two voting precincts, as follows: Anderson Court House, No. 1, Anderson Court House, No. 2, Anderson Court House, No. 3, Pendle-

Anderson.

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ton, Sandy Springs, Centreville, Bethany, Ball's Mills, Greenwood, Brushy Creek, Williamston, Belton, Honea Path, Calhoun, Claytonville, Millford's, Long's Shop, Dark Corner, Williford's Store, Brown and Farmer's Store, G. W. Maret's, Holland's Store.

Aiken.

In the County of Aiken there shall be eleven voting precincts, as follows: Aiken Court House, Beach Island, Silverton, Hamburg, Jordon's Mill, Boyde's Store, Miles' Mill, Merrit's Bridge, Graniteville, Fountain Academy, Windsors's.

Barnwell.

In the County of Barnwell there shall be fifteen voting precincts, as follows: Allendale, Barnwell, Blackville, Buford's Bridge, Barker's Mill, Erhard's Mill, Graham's, Millet, Midway, Cainan's Fair Church, Robins', Red Oak, Williston, Bell Dock, Bamburg.

Beaufort.

In the County of Beaufort there shall be thirty-one voting precincts, as follows: Brick Church, Coffin Point, Woodlawn, Beaufort, Myrtle Bush, Grey's Hill, Paris Island, Port Royal, Chisolm's Landing, Gardner's Corner, Pocotaligo, Peeple's, Varnsville, Hickory Hill, Brunson, Black Creek, Beach Branch, Matthews' Bluff, Lawtonville, Brighton, Lawton Church, Henniss' Cross Roads, Hardeeville, Levy's Cross Roads, Bellinger's Hill, Gillisonville, Grahamville, Jenniss' Cross Roads, Bluffton, Mitchellville and Nixville.

Charleston.

For the County of Charleston, exclusive of the city limits, there shall be forty voting precincts, as follows: Christ Church Parish, Mount Pleasant, Wappetaw Church, Four Mile Church; St. Thomas and St. Dennis' Parish, Muster House, New Hope Church, Ben Potter's at Half Way Creek; St. James' Santee Parish; Dūart's Creek, Thirty-two Mile House, Board Church or Pinckney Gaul, Henderson's Store; St. Stephen's Parish, Pineville, St. Stephen's Depot, Blackville; St. John's Berkley Parish, Black Oak, Biggin Church, Strawberry Ferry, Calamus Pond, Pineopolis; St. Andrews' Parish, Lamb's Farm, Club House, Redtop Church; James' Island, Cut Bridge, Dill's Bluff Baptist Church; John's Island, Andell's Store, Campbell's Church, Rushland; Wadmalaw Island, Camp Ground, Enterprise; St. John's Colleton Parish, Edisto Island, Calvary Church, Right's Store; St. James' Goose Creek Parish, Four Mile House, State Road, Whaley's Church, Mt. Holly, Summerville, Wassamasaw Chapel, Hickory Bend Cross Roads.

Charleston City.

In the city of Charleston there shall be seventeen voting precincts: City—Ward 1—1. City Hall; 2. Church street, near Water. Ward 2—1. Court House; 2. Union Star Engine House. Ward 3—1. Market Hall; 2. Palmetto Engine House; 3. Corner Inspection and Washington streets. Ward 4—1. Hope Engine House, Archdale street; 2. Stonewall Engine House, corner George and Col-

lege streets ; 3. Comet Engine House, Beaufain street. Ward 5—

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1. Eagle Engine House, Meeting street ; 2. United Engine House, Calhoun street. Ward 6—1. Washington Engine House, Vanderhorst street ; 2. Marion Engine House, Cannon street ; 3. Ice House, Rutledge street. Ward 7—1. Ashley Engine House, Columbus street. Ward 8—1. Niagara Engine House, Sires street.

In the County of Chester there shall be eleven voting precincts, as follows : Chester Court House, Lowrysville, Lewis' Turn Out, Torbette's Mill, Rossville, McAlilley's Mill, Carmel Hill, Dave Moffat's Store, Landsford, Boyd's Store, Rich Hill.

Chester.

In the County of Chesterfield there shall be nine voting precincts, as follows : Chesterfield Court House, Cheraw, Steerpen Springs, Cole Hill, Mt. Croghan, Old Store, Jefferson, Alligator, Oro.

Chesterfield.

In the County of Clarendon there shall be ten voting precincts, as follows : Manning, Fulton, Packsville, Calhoun, Shorter's, Tindale, Forks, Witherspoon, Bentley's, Mott's.

Clarendon.

In the County of Colleton there shall be nineteen voting precincts, as follows : Walterboro, Horse Pen, Bell's Cross Roads, Smoke's Cross Roads, Snider's Cross Roads, Preacher's Mill, Blue House, Ashepoo, Jacksonboro, Maple Cane, Gloversville, Adam's Run, Ravenel's, Rantowle's Station, Delamars' Cross Roads, Summerville, Ridgeville, George's Station, Stock's Causeway.

Colleton.

In the County of Darlington there shall be ten voting precincts, as follows : Darlington Court House, Nos. 1 and 2; Timmonsville, Society Hill, Florence, Whipple's, Lisbon, Leavenworth, Effington, Lydia.

Darlington.

In the County of Edgefield there shall be eighteen voting precincts, as follows : Edgefield Court House, Nos. 1 and 2; Meeting Street, Trapp's Mill, Haltiwanger's Store, Johnson's Depot, Ridge Spring, Perry's Cross Roads, Coleman's Cross Roads, Talbert's Store, Cheatham's Store, Shaw's Mill, Curryton, Landrum's Store, Liberty Hill, Red Hill, Mount Willery, Richardsonville.

Edgefield.

In the County of Fairfield there shall be ten voting precincts, as follows : Jenkinsville, Monticello, Feasterville, Youngville, Gladden's Grove, Durham's, Winnsboro, Ridgeway, Horeb Church, Doko.

Fairfield.

In the County of Georgetown there shall be twelve voting precincts, as follows : Georgetown, Sampit, Camero Bay, Upper Waccamaw, Lower Waccamaw, Santee, Black River, PeeDee, Choppee, Grier's Poll.

Georgetown.

In the County of Greenville there shall be eighteen voting precincts, as follows : Greenville Court House, W. C. Yeargin's, John Charles', A. W. Ware's, Sullivan's Factory, T. Henry Stokes', Jesse K. Stone's, Jesse Burdett's, Sr., Batesville, Chick's Springs,

Greenville.

A. D. 1875. Double Springs Church, T. J. Mitchell's, G. W. Center's, John H. Goodwin's, Alfred Hood's, Marietta, Burton's Old Field, Reedy River Church.

Horry. In the County of Horry there shall be eleven voting precincts, as follows: Conwayboro, Socartee, Bull Creek Muster Shed, Dog's Bluff Muster Shed, Gallavant's Ferry, Floyd's Store, Green Sea, at Blanton's Cross Roads, Bayboro, at Round Swamp Store, Little River Village, Dogwood Neck School House.

Kershaw. In the County of Kershaw there shall be seven voting precincts, as follows: Camden, Nos. 1 and 2, Market and Court House Precincts, Schrock's Mill, Lyzenly, Buffalo, Flat Rock, Red Hill.

Lancaster. In the County of Lancaster there shall be seven voting precincts, as follows: Belair, Waxsaw, Lancaster Court House, Dry Creek, Taxahaw, Montgomery and Caston.

Laurens. In the County of Laurens there shall be eight voting precincts, as follows: At Laurens Court House, number 1, 2, 3 and 4; Clinton, Hamilton's, Young's Store, New Hope near Bryson's Old Field.

Lexington. In the County of Lexington there shall be fourteen voting precincts, as follows: Lexington Court House, Paul Black's Store, Leesville, Summit Point, Charles Hutto's, Williams', Red Store, Rish's Store, Casey's, Arthur's Turn Out, Luke Davis', Spring Hill, Effird's and Counts' Store, John Minnick's.

Marion. In the County of Marion there shall be fifteen voting precincts, as follows: Aerial, Berry's Cross Roads, Britton's Neck, Campbell's Bridge, Cain's, Friendship, High Hill, Little Rock, McLellan's, Marion, Mars Bluff, Mullins, Nichols, Old Ark and Stone's.

Marlboro. In the County of Marlboro there shall be eight voting precincts, as follows: Adamsville, Bennettsville, Brownsville, Brightsville, Hebron, Red Bluff, Red Hill and Smithville.

Newberry. In the County of Newberry there shall be eleven voting precincts, as follows: Newberry Court House, Nos. 1 and 2; Gibson's Store, Glymphville, Maybinton, Whitmier's Store, Jalapa, Williams' Store, Longshore, Prosperity and Pomaria.

Oconee. In the County of Oconee there shall be fourteen voting precincts, as follows: Walhalla, West Union, High Falls, Salem, Little River, Rowland's, Mrs. Barker's, Fenton, H. Hall's, Rock Springs, Westminster, Seneca City, Center, Silton's Mill and Fair Play.

Orangeburg. In the County of Orangeburg there shall be twenty-two voting precincts, as follows: Orangeburg Court House, Branchville, Rowe's Pump, Jamison T. O., Lewisville, Fort Motte, Fogle's, Washington Seminary, Club House, Griffin's, Avinger's, Felder's, Elliott's, Ziegler's, Bull Swamp, Gleaton's, Brown's, Cobettsville, Easterling's, Cedar Grove, Foures' Chapel and Bookhardt's.

OF SOUTH CAROLINA.

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In the County of Pickens there shall be nine voting precincts, as follows: Easley Station, Abner Odell's, Central Station, Howard's Shop, Pickens Court House, Dacusville, Pumpkintown, Eastatoe Camp Ground and Elijah Hinkle's.

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Pickens.

In the County of Richland there shall be twelve voting precincts, as follows: Acton's, Gadsden, Hopkins', Trenholm's, Davis', Killian's, Camp Ground, Garner's, City of Columbia—Ward 1, Ward 2, Ward 3, Ward 4.

Richland.

In the County of Spartanburg there shall be twenty-six voting precincts, as follows: Spartanburg Court House, Bivingsville, Pacolet Depot, White Plains, Macedonia Church, Limestone Springs, Grassy Pond, J. H. Ezell's Store, Thorne's, New Prospect, Cherokee Springs, McKelly's Old Place, Calvin Foster's, Campobello, Holly Springs, Duncan's, Crawfordsville, Reidsville, Cashville, Woodruff's, Hobby's, Walnut Grove, Hebron, Cross Anchor, Glenn Springs, Ralph Smith's Old Place.

Spartanburg.

In the County of Sumter there shall be eighteen voting precincts, as follows: Sumter Court House, Nos. 1 and 2; Stateburg, Providence, Rafton Creek, Bishopville, Carter Crossing, Swimming Pens, Mayesville, Johnston's Store, Lynchburg, Shiloh, Concord, Priviteer, Manchester, Spring Hill, Wedgefield, Corbett's Store.

Sumter,

In the County of Union there shall be fifteen voting precincts, as follows: Union Court House, Draytonville, Timber Ridge, Wilkinsville, Tollison's Store, Glandyburg Mills, Kelly's, Going's, Hughes', Santuc, Goshen Hill, Cross Keys, Jasper Gibbs', Jonesville and Fish Dam.

Union.

In the County of Williamsburg there shall be eleven voting precincts, as follows: Kingstree, Salter's, Gourdin's, Anderson, Cedar Swamp, Black Mingo, Indian Town, Muddy Creek, Lewis' Store, McAllister School House and Sutton's.

Williams-  
burg.

In the County of York there shall be twelve voting precincts, as follows: Yorkville, Hickory Grove, Boydton, Bethany, Clay Hill, Fort Mill, Rock Hill, Coate's Tavern, Pride's Old Mill, McConnellsville, Blairsville, Bethel.

York.

Approved March 29, 1875.

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AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS IN RELA- No. 800.  
TION TO COUNTY COMMISSIONERS, THEIR POWERS AND DUTIES,  
INTO ONE ACT, AND TO AMEND THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-

A. D. 1875. eral Assembly, and by the authority of the same, That County Commissioners, elected in pursuance of Section 19 of Article IV of Jurisdiction, shall have jurisdiction over roads, highways, ferries and bridges, and all matters relating to taxes and disbursements of money for County purposes, the granting of licenses to retail spirituous or malt liquors, wine or cider, in accordance with the provisions of law, and in every other case that may be necessary to the internal improvement and local concerns in their respective Counties.

When to be elected, SEC. 2. There shall be an election held on the second Tuesday of November, Anno Domini one thousand eight hundred and seventy-six, and on the same day every second year thereafter, for the election of three County Commissioners in each County.

To give bond. SEC. 3. That the County Commissioners shall, before entering upon the discharge of the duties of their office, be, and they are hereby, required to give a bond for the use of their respective Counties, in the penal sum of two thousand dollars each, with three good and sufficient sureties, to be approved by the Clerk of Court of their respective Counties; and in case the office of Clerk of Court is vacant, or if said Clerk refuses to act, then, by the Attorney General of the State, conditioned for the faithful performance of the duties of their office:

Proviso. *Provided*, That the County Commissioners of Charleston County shall furnish a bond, in the penal sum of ten thousand dollars each; and the County Commissioners of the Counties of Beaufort, Barnwell and Orangeburg shall furnish a bond of five thousand dollars each. County Commissioners shall, before entering upon their duties, be sworn, and at their first meeting shall elect a Chairman of their Board.

Term of office. SEC. 4. Members of the Board of County Commissioners shall hold their office for the term of two years, and until their successors are elected and qualified: *Provided*, If any person elected a member of said Board shall remove from the County without intention to return, be or become disqualified, be removed from office, resign or die, the said office, upon proper evidence thereof, shall be declared vacant by the Governor of the State, who shall thereupon, by proclamation, if the vacancy to be filled be for more than one year, call an election in said County to fill the unexpired term of

Disqualification. said office, giving at least twenty days' notice thereof in the newspaper having the largest circulation in said County; and if the unexpired term of said office is less than one year, the Governor shall fill the office of such unexpired term by appointment.

Vacancies. SEC. 5. That all the Board of County Commissioners shall be present for the transaction of business, and shall audit and sign all bills and checks. The checks shall, in all cases, be countersigned

Whole Board to meet for transaction of business.

Clerk to countersign checks.

by the Clerk of the Board: *Provided*, That in case of the sickness, vacancy or inability to attend, a majority of said Board can act: *Provided, further*, That the reasons for the absence of any member shall be recorded with the proceedings of the meeting.

SEC. 6. Every Chairman shall have power to administer an oath to any person concerning any matter submitted to the Board, or connected with their powers or duties.

SEC. 7. The County Commissioners of the several Counties of this State shall meet annually at the County seat in their respective Counties for the dispatch of business; they shall hold special meetings, at such times and places as they may find convenient, and shall have power to adjourn from time to time as they may deem necessary.

SEC. 8. County Commissioners, when assembled for the performance of their duties, may punish disorderly conduct causing interruption to the business of their meetings, amounting to an open and direct contempt of their authority or their persons, by fine not exceeding ten dollars, or by imprisonment in the County jail for a term not exceeding twelve hours.

SEC. 9. Sheriffs, Deputy Sheriffs, Coroners and Constables, shall serve and execute all legal orders, warrants or processes to them directed by the County Commissioners.

SEC. 10. The Board of County Commissioners of each County in the State shall have power, at their annual meetings:

1. To cause to be levied, collected and paid to the Treasurer of the County a certain sum of money which, in their judgment, may be necessary to construct bridges therein, and to prescribe upon what plan and in what manner the money to be raised shall be expended; and the money so raised shall be appropriated to no other purpose, unless there is an excess of this specific fund, and, in that event, the excess may be appropriated by the County Commissioners to the payment of any other legal claims against the County.

2. To cause to be levied, collected and paid, a certain sum of money for rebuilding or repairing the Court House or jail of their County; and to prescribe upon what plan, or in what manner, money so raised shall be expended; and all work given out by the County Commissioners to be done on the public buildings as aforesaid, when the amount shall exceed one hundred dollars, shall be done by contract; and the Commissioners are hereby required to advertise the same, at least in one of the papers of the County, for thirty days for proposals; said proposals shall, in all cases, be accompanied by two or more sufficient sureties; and the County Commissioners shall have the right to reject any or all bids if in their judgment the interest of the County so require. If there should

A. D. 1875.

*Annual and special meetings.*

*May punish contempt.*

*Officers to serve process-  
es.*

*Powers.*

*To raise money for build-  
ing bridges.*

*To raise money for public  
buildings.*

*Work to be done by con-  
tract.*

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be an excess in this specific fund in any year, it shall be appropriated by the County Commissioners to the payment of any other legal claims against the County.

To raise money for building poor houses and for support of poor.

3. To cause to be raised by tax upon each County any sum of money not to exceed five thousand dollars in any one year, for the purpose mentioned in the second and third sub-divisions of Section 12 of this Act; and if there is any excess in the fund in any year, the excess to be appropriated to the payment of any other legal claims against the County.

To raise money for current expenses.

4. To cause to be levied, collected and paid to the County Treasurer, a certain sum of money, which, in their judgment, may be necessary to pay all claims against the County for fees, disbursements, services or labor; and in the event of any excess in this fund over the amount of claims allowed, the excess shall be appropriated by the County Commissioners to the payment of claims of this character arising in the next succeeding fiscal year: *Provided*, That the levy mentioned in sub-divisions 1, 2, 3 and 4 of this Section, shall always be included in the general levy for County purposes, which shall not exceed in any one year the number of mills provided by law: *Provided, further*, That no other levy shall be made except by special enactment of the General Assembly.

To assess taxes for County purposes.

SEC. 11. The County Commissioners shall assess all taxes for County purposes upon the then last State valuation; and for this purpose shall, on or before the first day of November in each year, obtain from the Auditor of the County, (who is authorized and required to furnish the same,) a certified copy of the abstract of the County duplicate, and shall, on or before the 15th day of November thereafter, pursuant to authority given by special enactment of the General Assembly, make out and deliver to the County Treasurer, with their warrant to collect, a tax bill for County purposes; said tax bill and warrant shall be signed by the County Commissioners, sealed with their seal, and certified to by their Clerk; and said tax bill and warrant shall be the Treasurer's sufficient warrant, and he shall proceed thereon to collect the tax therein levied, in the same manner as provided by law for the collection of the State taxes. It shall be the duty of the County Treasurer to keep each fund raised by taxes for the specific objects separate and distinct, and to make a monthly report to the County Commissioners, showing the balance on hand of each fund, to enable the County Commissioners to appropriate the separate funds according to law.

Funds to be kept separate and distinct.

SEC. 12. The Board of County Commissioners shall have power, and they are authorized at any meeting thereof, lawfully assembled:

Payment of accounts.

1. To examine, approve and order paid all accounts of every

kind whatsoever against the County, and to draw orders upon the County Treasurer for the payment of the same; but the County Commissioners shall not draw any order upon the County Treasurer unless he has the funds in the treasury, appropriated for the particular object, to pay the same; and to enable him to determine whether there is the specific fund upon which to draw, the County Commissioners shall indicate, on the face of each order, the nature of the claim in payment of which it has been given.

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2. To purchase for the use of their respective Counties any real estate necessary for the erection of buildings, and for the support of the poor of such County. Purchase of real estate.

3. To fix upon and determine the site of any such buildings, and cause to be erected necessary buildings for poor houses, and prescribe the manner of erecting the same. Poor houses.

4. To borrow money for the use of such County, to be expended for the purchase of any real estate, or for the erection of any such buildings, and to provide for the payment thereof, with interest, by tax upon such County, within ten years from the date of such loan, in yearly instalments or otherwise: *Provided*, That no such loan shall be created by the County Commissioners until they notify the General Assembly of the necessity therefor, and authority be granted to them to create such loan, after submitting the same to the electors of the County, and likewise obtaining the authority of a two-thirds majority of the voters voting thereon. May borrow money.

Proviso.

5. To authorize the sale or leasing of any real estate belonging to such County, and to prescribe the mode in which any conveyance shall be made: *Provided*, The sale or leasing of the real estate be recommended by the grand jury of such County, and receive the sanction of the Circuit Judge. May lease or sell County property.

6. To make such orders concerning the use of the corporate property of the County for public County purposes as they may deem expedient.

7. To examine, approve or disapprove the official bonds of all County officers, except their own bonds, which must be examined and approved or disapproved by the Clerk of the Court or Attorney General. To approve bonds.

8. To require any County officer, whose salary is paid by the County, to make report, under oath, to them, on any subject or matter connected with the duties of their offices; and the said officers are required to make such report whenever called upon by resolution of such Board; and if any officer shall neglect or refuse to make such report, he shall be deemed guilty of a misdemeanor and punishable by fine or imprisonment, within the discretion of the Circuit Judge. May require reports from certain officers.

A. D. 1875. 9. To appoint Special Commissioners to lay out public highways in those cases where they shall be satisfied that the road applied for is important, and notice is given to the land owners through whose lands the highways will pass.

To divide County into highway districts. 10. To divide their Counties into highway districts, each district to contain not less than ten miles of public highways, nor more than forty miles, to be convenient for repairing highways, and may, from time to time, alter the same.

Compensation of Special Commissioners. SEC. 13. The County Commissioners shall have power to provide for the payment of the Special Commissioners appointed under the ninth sub-division of Section 12 of this Act for their time and expenses, at a rate not exceeding three dollars per day each, and five cents for each mile of necessary travel. The decisions made by the Special Commissioners may be appealed from, and reviewed in the same manner, and with like authority, as is allowed by law from the acts of the County Commissioners. The work to be laid out by such special Commissioners, or the same as settled on appeal, shall be recorded, opened and worked as public highways of the towns, cities or Counties in which they are respectively situated, in the same manner as other highways of the town, city or County are required by law to be recorded, opened and worked: *Provided*, This power to open new highways shall not be exercised in any incorporated city, town or village.

Roads may be opened and worked. SEC. 14. The County Commissioners shall take charge of and keep in repair the highways in the County; the bridges shall be repaired under their supervision, and the expense of the same shall be paid out of the money in the Treasury raised and appropriated for this purpose; and all the work on bridges, given out by the County Commissioners, when the amount shall exceed the sum of one hundred dollars, shall be done by contract; and the County Commissioners are hereby required to advertise the same in at least one of the papers of the County; said proposal shall, in all cases, be accompanied by two or more sufficient sureties, and the County Commissioners shall have the right to reject any or all bids if in their judgment the interest of the County so require.

Repairs of highways and bridges. Work to be done by contract. SEC. 15. Special meetings of the Board of County Commissioners of any County may be called by the Chairman of the Board, on his own motion, or the written request of other members of the Board.

Special meetings. Clerk of Board. SEC. 16. Each Board of County Commissioners shall appoint some proper person to be their Clerk whenever necessary, and may remove him at pleasure, whose general duties it shall be:

Duties. 1. To record in a book, to be provided for the purpose, all proceedings by the Board.

2. To make regular entries of all the resolutions or decisions on all questions concerning the raising or payment of money.

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3. To record the vote of each Commissioner on all questions submitted to the Board, if required by any member present.

4. To preserve and file all the accounts acted upon by the Board.

Said Clerk shall take the oath prescribed by the Constitution. He shall receive a reasonable compensation for his services, to be fixed by the Board, not to exceed three dollars per day for the time actually and necessarily employed.

To take oath.

SEC. 17. Every resolution of any Board of County Commissioners, passed in pursuance of the provisions of this Act, shall be signed by the Chairman and Clerk of the Board, and be recorded in the book of miscellaneous records in the office of the County Commissioners.

Decisions to be recorded.

SEC. 18. The Board of County Commissioners of any County may adopt a seal, and when so adopted, the Clerk of such Board shall cause a description thereof, together with an impression therefrom, to be filed in the office of the Clerk of the Court of Common Pleas and General Sessions of said County, and in the office of the Secretary of State; and the same shall thereupon be the seal of the Board of County Commissioners for such County.

Seal of Board.

SEC. 19. Copies of all papers duly filed in the office of the Board of County Commissioners of any County, and transcripts from the books of record kept there, certified by such Clerk, with the seal of office affixed, shall be evidence in all Courts and places in like manner as if the original were produced.

Copies of records.

SEC. 20. Each County shall pay:

County to pay;

1. The fees of grand and petit jurors while in attendance upon the Circuit Courts.

Jurors.

2. Witnesses' fees, in State cases, for actual attendance on the Circuit Courts, and for actual attendance on a Trial Justice's Court.

Witnesses.

3. Fees of physicians and surgeons testifying as experts before a Coroner's jury, or at the Circuit Court, after a *post mortem* examination, ten dollars, and five cents per mile for actual and necessary travel.

Physicians for *post mortem* examinations.

4. Fees of Sheriffs, in State cases, at the rates allowed by law.

Sheriffs.

5. Fees of the Clerks of the Circuit Court, in State cases, and for all other services, to be paid by the County at the rates allowed by law.

Clerks of Court.

6. Fees of the County Coroners, at the rates allowed by law.

Coroners.

7. Fees of the Circuit Solicitors for services in the County, when not collected from the defendant, at the following rates: In a trial before a jury in civil or criminal cases, or before referees, a docket fee of ten dollars; in cases at law, when judgment is rendered without a jury, seven dollars and fifty cents.

Circuit Solicitors.

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Trial Justices.

8. All fees and accounts of Trial Justices and other officers for criminal proceedings, including cases of vagrancy, when not recovered from the defendant or party complaining, at the rates allowed by law, shall be paid by the County wherein the offense shall have been committed: *Provided*, Said fees and accounts do not exceed the sum of five hundred dollars per annum, and all accounts rendered for such proceedings shall state when such offense was committed: *Provided, further*, That the provisions of this Section shall not apply to the Counties where, by special legislation, such fees and accounts have been otherwise provided for.

SEC. 21. No accounts shall be audited and ordered to be paid by the County Commissioners for any labor performed, fees, services, disbursements, or any other matter, unless such account shall be made out in items and accompanied with an affidavit attached to and to be filed with such account, made by the person or officer presenting or claiming the same, that the items of such account are correct, and that the labor, fees, disbursements, services or other matter charged therein have been done, made, rendered or are due, in fact, and stating that no part of the same has been paid or satisfied.

Accounts—  
conditions re-  
quisite to ob-  
tain payment  
of.

And the Circuit Solicitor, the Clerk of the Court, the County Sheriff and Trial Justices, shall declare, further, on oath, that the costs in such cases have not been recovered out of the defendants, and that the defendants are unable to pay costs; and, further, that all fines and penalties heretofore collected by them have been faithfully and fully paid over to the County Treasurer. Before the accounts of Sheriffs, Circuit Solicitors, Trial Justices, Clerks of the Court, and Coroners, shall be presented to the County Commissioners for examination, approval, and orders for payment upon the County Treasurer, they shall be examined and certified to as correct by the Judge presiding in the Circuit Court in the County. Before the fees of witnesses shall be examined and ordered to be paid by the County Commissioners, the certificate to be issued to them by the Clerk of the Court shall be certified to by the Circuit Solicitor that they are correct and the attendance upon the Circuit Court has

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been given for the number of days therein specified: *Provided*, Nothing in this Section shall be construed to prevent any Board from disallowing any account, in whole or in part, when so rendered and verified, if it appears that the charges are incorrect, or that the services or disbursements have not, in fact, been made or rendered, nor from requiring any other or further evidence of the truth or propriety thereof. No allowance or payment beyond legal claims shall ever be allowed. And the Board of County Commissioners in any County may refuse to audit or allow any claim or demand whatsoever, unless made out and verified in the manner herein specified.

SEC. 22. The fiscal year shall commence on the first day of November of each year. The annual meeting of the Board of County Commissioners for each County shall be on the first Tuesday after the first Monday of September, and the Clerk of the Board shall give notice of time of holding said annual meeting, by inserting the same at least once a week for four weeks previous to such meeting, in any newspaper published in the County; and if there be no paper published in the County, then he shall post said notice on the Court House door; said notice shall require all persons holding bills, accounts or demands of any kind against the County which have not been before presented to the Board of County Commissioners at special meetings held during the year, to deposit the same with the said Clerk on or before the first day of November, so that they may be examined and ordered to be paid at the annual meeting; and it shall be the duty of all persons holding such accounts or claims not paid to deposit them with the Clerk of the Board in accordance with the requirements contained in the notice.

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Fiscal year.

Presentation  
of accounts.

SEC. 23. Accounts presented, examined and approved by the County Commissioners during the fiscal year shall be numbered from number one upwards, in the order in which they are presented, audited and ordered to be paid; and a memorandum of the time of presenting the same, of the names of the persons in whose favor they shall be made out, and by whom they shall be presented, shall be entered in the minutes of the Board to which they shall be presented; and no such account, when presented, audited and ordered to be paid, shall be withdrawn from the custody of the Board or its Clerk for any purpose whatever, except to be used in evidence upon a judicial trial or proceeding, and, in such case, it shall, after being so used, be forthwith returned to such custody. And after the passage of this Act, no claims of any class or description drawn against any County in this State shall be paid by the County Treasurer of

Accounts to  
be numbered  
in seriatim.

Not to be  
withdrawn  
from custody  
of Board.

any County until such claims have first been examined, approved and allowed by the Board of County Commissioners of such County. And the said Commissioners, after examining, approving and allowing such claims, shall, if there be funds in the hands of the County Treasurer, subject to the payment of said claims, draw their checks for the payment of the said claims upon the Treasurer of their respective Counties, specifying the fiscal year for which the claims were contracted or incurred, and immediately cancel the said claims and file the same in their office as a voucher for their draft. And it shall not be lawful for any County Treasurer to pay any claim against the County except upon the checks of the County Commissioners of the said County, which shall bear upon their face not only the number, amount and name of the party in whose favor

Not to be  
paid until ex-  
amined and ap-  
proved.

Drawing of  
checks.

Cancellation  
of claims.

Treasurer to  
pay only upon  
checks of Com-  
missioners.

A. D. 1875.Treasurers to hold checks as vouchers.County Auditor to cancel and receipt therefor.

they are drawn, but the nature of the claims for which they are drawn and the fiscal year in which they were contracted or incurred.

The said checks shall be the vouchers of the County Treasurers, to be held by them until their annual settlement with the Auditors of their Counties, when the said checks of the County Commissioners shall be turned over to the County Auditors and shall be cancelled by them, and the said County Auditors shall thereupon give to the said County Treasurers their official receipts for the aggregate amount of such checks which have been paid within the year for which they were issued, which receipts shall be the personal vouchers of the said Treasurers.

Duties of Clerk. SEC. 24. It shall be the duty of the Clerk of the Board to design-

nate every account upon which any sum shall be audited and allowed by the Board, the amount so audited and allowed, and the charges for which the same was allowed; and he shall also deliver to any person who may desire it a certified copy of any account on file in his office, on receiving from such person ten cents for every folio of one hundred words contained in such copy; and the Board shall endorse on every account allowed and ordered to be paid words indicating that it has been audited above the signatures of each of the County Commissioners.

Books to be open to examination. SEC. 25. The books, records and accounts of the Board of County Commissioners shall be deposited with their Clerk, and shall be open, without reward, to the examination of all persons.

To publish annual statements of expenditures. SEC. 26. It shall be the duty of the Board of County Commissioners in each County, annually, to publish in one or more newspapers printed or circulated in such County, the name of every individual who shall have had any account audited and allowed by said Board during the fiscal year, and the amount of said account or claim as allowed, together with the amount claimed.

Clerk, further duties. SEC. 27. It shall be the duty of the Clerk of the Board of County Commissioners, on or before the first Tuesday after the first Monday in November in each year, to make out a statement, showing:

1. The number of days the Board shall have been in session within each year, and the distance travelled by the members respectively, in attending the meetings of the Board, or in performing other duty required of them.

2. Whether any accounts were audited and allowed, without being verified, according to law, and, if any, how much and for what; and such statement shall be certified by such Clerk, and be printed in a newspaper published or circulated in the County within two weeks after such statement shall be made out; and it shall be the special duty of such Clerk to see that the same is so published: and for every intentional neglect so to do, such Clerk shall be

deemed guilty of a misdemeanor, punishable by fine or imprisonment, within the discretion of the Court.

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SEC. 28. Each member of the Board shall be allowed compensation for his services in attending the meetings of the Board, and for necessary time spent in discharging other duties imposed by law, if any, at the rate of three dollars per day, and five cents per mile for necessary travel: *Provided*, That compensation shall not be allowed to any member of the Board of County Commissioners for exceeding one hundred days in any one year, except to the members of the Board of County Commissioners for the County of Charleston, who shall not be allowed compensation for exceeding one hundred and fifty days in any one year. An account shall be made out in items, with dates prefixed, accompanied with the affidavit of the member, stating that the items of such accounts are just, and that the services therein mentioned have been rendered as stated, and no part of said account has been paid. The accounts shall be presented to the County Auditor, who shall audit, and, if correct, the County Treasurer shall pay the same out of funds accrued from taxes levied and collected for payment of accounts and claims against the County. Copies of all accounts thus presented and paid by the County Treasurer shall be filed with the Clerk of the Board of County Commissioners, for the examination of all persons who may desire to inspect them.

Compensation of Commissioners.

Proviso.

Treasurer to pay claims for services.

SEC. 29. No member of the Board of County Commissioners shall vote for an extra allowance to any person who is paid by salary, nor shall the Treasurer of said County knowingly pay to any such person any extra allowance; nor shall the County Commissioners approve any account of the County Auditor of any County for assessing property, for a greater amount than the actual cost of the same to the County Auditors, to be shown by an itemized account sworn to by the Auditors. Every offense against the provisions of this Section shall be a misdemeanor, punishable by a fine Extra allowance prohibited. of not less than one hundred dollars, or by imprisonment in the County jail for a period not exceeding six months, or by both such fine and imprisonment.

Penalty for making.

SEC. 30. Should the County Commissioners, or any one of them, or the Clerk, purchase, directly or indirectly, any claim or account against the County, or any order drawn upon the County Treasurer, for less than its face value, they shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof, shall be punished by fine or imprisonment in the discretion of the Circuit Court. And if any County Commissioner shall refuse or neglect to perform any duty required of him by law as a member of the Board of County Commissioners, he shall, for every such offense, forfeit the sum of two hundred and fifty dollars, and be removed from office.

Not to purchase claims against County.

A. D. 1875.  
Annual esti-  
mates.

SEC. 31. County Commissioners shall, annually, on or before the first day of November of each year, prepare and make up the estimate for all County charges and debts for the fiscal year then ensuing, which shall contain a certain amount necessary for bridges, for repairing or rebuilding court houses and jails, for the poor, for accounts and claims of officers and all other persons, and for stationery, advertising, rent of office for Auditor and Treasurer, and other contingent expenses of this character, and the rate of taxation necessary to raise money to meet the same. The estimate so made up and approved by them shall be recorded by their Clerk, in a book kept for that purpose; and a fair copy thereof, with a statement of the amount of borrowed money due from the County, and of the amount of taxes due and unpaid at the time of making said estimates, signed by the Commissioners, and attested by their Clerk, shall, with the Treasurer's accounts, be made up and transmitted by the Clerk to the office of the Comptroller General of the State, to be laid before the General Assembly for approval.

To be trans-  
 mitted to  
 Comptrol-  
 ler General.

SEC. 32. It shall be the duty of the County Commissioners to furnish the County Auditor, School Commissioner and Treasurer of their respective Counties, office room, together with the necessary furniture and stationery for the same, which shall be kept at the court house of their respective Counties.

To furnish  
 office room for  
 County officers.

Medical aid  
 to indigent  
 sick.

SEC. 33. That the County Commissioners of the several Counties in the State are authorized, whenever, in their judgment, it is necessary, to appoint one or more physicians, whose duty it shall be to furnish medical aid to the indigent sick in their respective Counties; and whenever accounts are rendered for the performance of such duty, the County Commissioners are to examine such accounts, and, if found correct, to audit the same, and give an order on the County Treasurer for their payment, out of the fund provided for other accounts and claims.

To provide  
 hospital ac-  
 commodations.

SEC. 34. That the County Commissioners of the respective Counties of this State are authorized and required to provide suitable hospital accommodations in connection with the poor house, at or near the County seats of their respective Counties, where the indigent sick poor may receive medical and surgical aid, free of charge, and to appoint physicians thereto: *Provided*, That no physician so appointed to any of the hospitals shall charge for his services more than half the usual fees.

When to fur-  
 nish accommo-  
 dations for  
 Courts, &c.

SEC. 35. That if, at any time, the court house of any County in this State shall be in course of reconstruction or repair, or from any other cause shall not be in condition to be occupied, it shall be the duty of the County Commissioners for such County to furnish suitable rooms for the accommodation of the Courts and public officers.

**SEC. 36.** The County Commissioners of each County shall, on or before November 15 in each year, make a report to the Comptroller General, to be transmitted by him to the General Assembly, not only of the amount of taxes levied and collected in their respective Counties, but all accounts which have been allowed and settled, the number and amount of orders drawn upon the County Treasurer, the amount expended for rebuilding or repairing court house, jail, poor house and bridges; in fact, a detailed account of all their doings; and said report shall be made in such form as the Comptroller General of the State shall direct or prepare, or forward to them for such purpose; and upon failure so to report they shall be fined in a sum not less than two hundred nor more than five hundred dollars.

A. D. 1875.  
Report to  
General As-  
sembly.

**SEC. 37.** That no funds raised by taxation for any County purposes whatsoever shall be subject to levy under the process of any Court of this State.

**SEC. 38.** That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved April 13, 1875.

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**AN ACT TO PROVIDE FOR THE SETTLEMENT AND REDEMPTION OF CERTAIN CLAIMS AGAINST THE STATE.**

Whereas there are outstanding and unpaid certain legislative pay certificates, Treasurer's bills payable, and claims passed by the General Assembly, amounting in all to about five hundred thousand dollars:

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. B. Gulick, Thomas S. Cavender and J. P. Southern, be, and they are hereby, constituted Commissioners of Claims, and shall constitute a "Commission on Claims."

Claims Com-  
mission.

**SEC. 2.** That the said Commission are hereby authorized and required to audit, as liquidated debts of the State, all pay certificates issued by both or either of the two Houses of the General Assembly prior to the present session which have been duly registered with the Clerks of the two Houses in accordance with the terms of a concurrent resolution of the General Assembly, passed December 21, 1874, and which shall be certified by the said Clerks to have been regularly and properly issued; also all bills payable, issued by the State Treasurer for money borrowed pursuant to the provisions

Duties of Com-  
mission.

What claims to  
audit.

A. D. 1875.

of a Joint Resolution of the General Assembly to provide for the payment of certificates issued by the General Assembly, approved March 12, 1872, and also all claims which, by any action prior to the present session, have been definitely fixed in amount and ordered

*May disallow  
fraudulent  
claims.*

to be paid: *Provided, however,* That nothing contained in this Section shall be construed to deny to the said Commission the authority to disallow, in whole or in part, any claim evidenced by such pay certificates, bills payable, or such action of the General Assembly, if the said Commission shall adjudge the same to be fraudulent, or shall for any other cause adjudge that the same, or any part thereof, is not a just, valid and proper demand against the State.

*Duties of At-  
torney Gen-  
eral.*

SEC. 3. That the Attorney General is hereby authorized and required to attend the sessions of the said Commission and represent therein the interests of the State, and shall receive such compensation therefor as shall be received by the members of the Commission respectively.

*Claimants to  
surrender  
claims to Com-  
mission.*

SEC. 4. That all persons desirous of securing the benefits of this Act shall surrender to the said Commission the pay certificates, bills payable, and other evidences of indebtedness in their possession which may pertain to their claims; and the said Commissioners are hereby authorized and required, upon the auditing and allowance of said claims, to cancel all the pay certificates, bills payable, and other evidences of indebtedness which may pertain to the claims

*Commission to  
issue certifi-  
cates of in-  
debt edness.*

so audited and allowed, and in lieu thereof shall issue to each claimant, or his assigns, a certificate of State indebtedness, which certificate shall be signed by the members of the said Commission, or a majority of them, and shall set forth the amount ascertained to be due to each claimant, and the terms and conditions on which the said certificate may be lawfully redeemed under the provisions of this Act. And the said Commission shall, in all cases, forthwith deposit in the office of the Comptroller General all such legislative pay certificates, bills payable, and other evidences of indebtedness

*Cancelled  
claims to be  
deposited with  
Comptroller  
General.*

so taken up and cancelled, with an accompanying memorandum signed by them, or a majority of them, showing their action in reference thereto, and the Comptroller General shall file the same, suitably marked and endorsed: *Provided,* That no claims shall be

*Holders to ac-  
cept settle-  
ment.*

audited or allowed unless the holders thereof first agree to accept the terms of settlement provided for in this Act: *And provided,*

*Disallowed  
claims to be re-  
turned to  
claimants.*

*further,* That all evidences of indebtedness disallowed shall be returned to the claimants in the same condition as when received.

*Registry.*

SEC. 5. That the said Commission shall make all needful rules and regulations for their government, and for the proper presentation and proof of claims. They shall, also, keep a registry of all claims presented to and acted upon by them, whether allowed or

disallowed, in whole or in part. They shall, also, keep a registry of all certificates of State indebtedness by them issued to claimants. They shall, also, keep a record of all their proceedings, and from time to time make to the Governor such reports as he may require.

A. D. 1875.

SEC. 6. That any person who may hold a certificate of State indebtedness, issued by said Commission, pursuant to the provisions of this Act, shall, upon presentation and surrender of the same at the office of the Comptroller General, be entitled to receive for the same four Comptroller General's warrants, numbered 1, 2, 3 and 4, respectively, each of them for one-eighth of the amount of the certificates of State indebtedness so presented and surrendered; No. 1 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1875; No. 2 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1876; No. 3 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1877; and No. 4 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1878: *Provided, however,* That the amount of legislative pay certificates, bills payable, and other evidences of indebtedness, specified in Section 2 of this Act, and allowed, shall not exceed the sum of five hundred thousand dollars, nor the amount of warrants issued the sum of two hundred and fifty thousand dollars: *And provided, further,* That such warrants shall be issued in the order in which said certificates of State indebtedness shall be surrendered.

Comptroller  
General to is-  
sue warrants.Amount  
limited.

SEC. 7. That the said Comptroller General's warrants shall bear upon their face the declaration that their payment is secured by the levy of an annual tax of one-half of one mill on the dollar, to be made upon the taxable property of the State for the fiscal years mentioned in the preceding Section, which declaration, so authorized to be expressed thereon, shall be deemed and taken to be a contract between the State and the holders of such Comptroller General's warrants respectively.

Warrants,  
what to con-  
tain.

SEC. 8. That an annual tax of one-half of one mill on the dollar upon the taxable property of the State be, and the same is hereby, levied to be collected for and during the fiscal years mentioned in Section 6 of this Act, for the purpose of paying and retiring the said Comptroller General's warrants as they may become due and payable. And it is hereby made the duty of the County Auditors of the several Counties in the State to include the tax herein provided for in the several annual levies, and the County Treasurers to collect the same at the same time and in the same manner as may be provided for the levy and collection of taxes for other State

Annual tax to  
pay same.

A. D. 1875.

Appropriation  
for same.

Comptroller  
General to keep  
registry.

Appropria-  
tions for ex-  
penses.

purposes for and during the fiscal years aforesaid; and the proceeds of the tax so to be levied and collected, or so much thereof as may be necessary, shall be, and the same are hereby, appropriated to the payment of the said Comptroller General's warrants as they may become due and payable.

SEC. 9. That the Comptroller General shall keep an exact registry of all warrants issued by him pursuant to the provisions of this Act.

SEC. 10. That for the purpose of defraying the expenses to be incurred in carrying out the provisions of this Act, the sum of four thousand dollars, if so much be necessary, be, and the same is hereby, appropriated, to be drawn on the warrant of the Governor, countersigned by the Comptroller General, and payable by the State Treasurer out of any moneys in the Treasury not otherwise appropriated.

SEC. 11. That this Act shall take effect immediately after its passage.

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IN THE HOUSE OF REPRESENTATIVES,

COLUMBIA, S. C., March 19, 1875.

This Act was returned with the objections of His Excellency the Governor, Wednesday, March 17, 1875, 11:30 A. M. On the question of "reconsideration and passing the Act, the objections of His Excellency the Governor to the contrary notwithstanding," Mr. W. A. Hayne, a Representative from the County of Marion, raised the question of order, that the Act had become a law by the failure of the Governor to return the same to this House, with his objections, within the time limited by Article III, Section 22, of the Constitution. The Speaker (Hon. R. B. Elliott,) "ruled that the point was well taken, for the reason that Article III, Section 22, of the Constitution requires that 'if a Bill or Joint Resolution shall not be returned by the Governor within three days after it shall have been presented to him, (Sundays excepted,) it shall have the same force and effect as if he had signed it, unless the General Assembly, by their adjournment, prevent its return, in which case it shall not have such force and effect, unless returned within two days after their next meeting.' The adjournment contemplated by the Constitution does not exist in this case. The Constitution says that unless the General Assembly, by adjournment, prevent the return of a Bill or Joint Resolution, which clearly means from one session to another or without day. In this case it was not even an adjournment for a period of more than three days, which could only have been ef-

A. D. 1875.

fected by the concurrence of the other branch of the General Assembly. The Act returned was presented to the Governor on Thursday, March 11, at 11:30 A. M., and the veto message bears date March 17, and was received this morning. The House took a recess from Thursday evening to Monday, 15th instant, at 7 P. M. The three days limited by the Constitution expired Monday, 15th instant, at 11:30. The House was not in session until 7 P. M., but the message could have been delivered to the Clerk of the House, or sent to the House at 7 P. M. The House was called to order, and although a quorum was not present, a sufficient number was present to compel the attendance of a quorum, and the message could have been received." On the question, "Shall the decision of the Chair stand as the judgment of the House?" the yeas and nays were ordered, resulting, yeas, 63; nays, 46.

A. O. JONES,  
Clerk of House of Representatives.

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## JOINT RESOLUTIONS.

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**JOINT RESOLUTION TO ALLOW THE HEIRS OF JAMES S. AND LANGDON BOWIE TO REDEEM A STORE AND LOT IN THE CITY OF CHARLESTON, FORFEITED FOR NON-PAYMENT OF TAXES.** No. 1.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the heirs of James S. and Langdon Bowie be, and they are hereby, authorized to redeem from forfeiture for non-payment of taxes, a store and lot in the city of Charleston, on the south-east corner of Hasel and Meeting streets, upon payment to the Treasurer of Charleston County of all taxes, penalties and costs which are due, after which the County Auditor shall expunge the said store and lot from the forfeited land record of the County of Charleston.

Heirs of Bowie  
to redeem for-  
feited lands.

County Audi-  
tor to expunge  
same from for-  
feited land re-  
cord.

Approved December 22, 1874.

A. D. 1875. JOINT RESOLUTION TO ALLOW JOHN KATER TO REDEEM  
No. 2. CERTAIN FORFEITED LANDS.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Kater, of the County of Charleston, be, and he is hereby, allowed to redeem certain lands formerly owned by him in said County, consisting of three thousand four hundred and sixty-six acres, (3,466), which have become forfeited to the State, by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that he pay over to the County Treasurer of Charleston County all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said lands from the forfeited land record of Charleston County.

County Auditor to expunge same from forfeited land record.

Approved January 21, 1875.

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No. 3. JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO APPOINT TRUSTEES UNDER THE WILL OF THE LATE DR. JOHN DE LA HOWE."

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of a Joint Resolution entitled "Joint Resolution to appoint Trustees under the Will of the late Dr. John De La Howe," approved March 17, 1874, be, and the same is hereby, amended by striking out the names between the word "that," on the third line thereof, and the word "be," on the fourth line thereof, and inserting in lieu of the same the following names, to wit : "J. C. H. Turner, Esq., C. B. Guffin, Esq., James Wharton, Esq., Robert Jones, Esq., and J. Wardlaw Perrin, Esq."

Trustees under Dr. De La Howe's will.

Approved January 21, 1875.

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No. 4. JOINT RESOLUTION TO APPOINT A COMMITTEE TO INVESTIGATE THE FINANCIAL AFFAIRS OF SUMTER COUNTY.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Judge of the Third Judicial Circuit be, and he is hereby, authorized and directed to ap-

Judge to appoint Investigating Committee.

point a Committee of three to investigate the financial condition of Sumter County, and that said Committee have power to send for persons and papers, to administer oaths, and to take testimony concerning all transactions or payments of money by the County Commissioners or other officers of said County, from November 1st, 1868, to November 1st, 1874, and to report the result of their investigations to the first term of the Circuit Court in said County after the completion thereof: *Provided*, That said Committee receive no compensation for services rendered.

A. D. 1875.

Powers, &c.

Approved January 21, 1875.

**JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION TO REQUIRE ALL PERSONS HOLDING CLAIMS AGAINST THE COUNTY OF CLARENDON TO FILE A LIST OF SUCH CLAIMS IN THE OFFICE OF THE CLERK OF THE COURT."**

No. 5.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of a Joint Resolution entitled "Joint Resolution to require all persons holding claims against the County of Clarendon to file a list of such claims in the office of the Clerk of the Court," be, and the same is hereby, amended by striking out the words "within ninety days from and after the passage of this Joint Resolution," and inserting in place of the same the following words, to wit: "On or before the first day of September, 1875."

Time to register extended.

SEC. 2. That Section 2 of the same Joint Resolution be, and the same is hereby, amended by adding, at the end thereof, the following words, to wit: "After the same shall have been duly examined, approved and allowed by the Board of County Commissioners of said County."

Section 2 amended.

Approved January 30, 1875.

**JOINT RESOLUTION TO ALLOW MRS. SUSAN E. McILWAIN TO REDEEM CERTAIN FORFEITED LANDS.**

No. 6.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Mrs. Susan E. McIlwain, of the County of Sumter, be, and she is hereby, allowed to redeem

Mrs. McIlwain to redeem forfeited lands.

A. D. 1875.  
 County Auditor to expunge same from forfeited land record.

certain lands, amounting to 172 acres in said County, forfeited for non-payment of taxes, upon payment to the County Treasurer of Sumter County of all taxes and costs due upon said land, after which the County Auditor shall expunge the said land from the forfeited land record of the County of Sumter.

Approved February 4, 1875.

**No. 7. JOINT RESOLUTION TO AUTHORIZE THE COMPTROLLER GENERAL TO REMIT A CERTAIN TAX PENALTY.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized to have the penalty of fifty per cent., which was added to the assessed value of the Spartanburg and Union Railroad Company, in the year 1874, on account of failure to make their return at the proper time, remitted: *Provided*, That the tax upon the property referred to in the said Joint Resolution be paid within sixty days from the passage thereof.

Tax penalty remitted.  
 Proviso.

Approved February 4, 1874.

**No. 8. JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF THE CLAIMS OF THE COLUMBIA GAS LIGHT COMPANY FOR GAS FURNISHED THE GENERAL ASSEMBLY.**

*SECTION 1. Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sum be, and the same is hereby, appropriated, that is to say, the sum of three thousand one hundred and eighty-eight dollars and eighty-one cents, to pay the claim of the Columbia Gas Light Company for gas furnished the General Assembly and Executive offices.

*Appropriation to pay claims.*  
*Out of what moneys to be paid.*  
 SEC. 2. That the State Treasurer be, and he is hereby, authorized to pay the said sum to the said Gas Light Company out of any money in the State Treasury received from fees of office of Secretary of State.

Approved February 6, 1875.

OF SOUTH CAROLINA.

1005

JOINT RESOLUTION TO RESTORE TO THE CHARLESTON LIBRARY SOCIETY THE TITLE TO CERTAIN FORFEITED LANDS FOR NON-PAYMENT OF TAXES, AND TO DECLARE THE SAME TO BE FREE FROM TAXATION.

A.D. 1875.  
No. 9.

Whereas the Charleston Library Society, of Charleston, is a public library, in the sense of the Constitution, and is therefore exempt from taxation, and the lot at the north-west corner of Broad and Church streets, whereon the Charleston Library building now stands, was forfeited to the State, in May, 1874, for non-payment of taxes for the year eighteen hundred and seventy-three.

Preamble.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said lot be expunged from the record of forfeited lands, and that the title thereof be restored to the Charleston Library Society, and that said lot and buildings be held by said society free of taxes; and on the payment by the Charleston Library Society of all taxes, penalties and costs to the County Treasurer, which are due upon the lot in Meeting street whereon the Apprentices' and Minors' Library building formerly stood, the County Auditor shall expunge the same from the forfeited land record of the County of Charleston, and restore the title of said lot to the Charleston Library Society.

Lands re-  
stored.

May redeem  
certain lot.

Approved February 8, 1875.

JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN CLAIMS OF THOMAS W. PRICE & Co., BY MAKING AN APPROPRIATION FOR THE SAME.

No. 10.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of twenty-one thousand six hundred and seventy-six dollars and thirty-five cents (\$21,676.35) be, and the same is hereby, appropriated to pay the claims of Thomas W. Price & Co., for the publishing of certain statements, returns, receipt lists and duplicates for the State of South Carolina, and that eight thousand nine hundred and seventy-one dollars and fifty cents (\$8,971.50) of the said appropriation shall be paid out of the contingent expenses of the Executive Department of the taxes collected for the fiscal year commencing November 1, 1874, and that twelve thousand seven hundred and four dollars and eighty-five cents (\$12,704.85) of the appropriation herein made, with interest at the rate of seven per cent. per annum, from the

Appropriation  
to pay claim.

Out of what  
moneys pay-  
able.

A. D. 1875.

To surrender  
all vouchers.

time of the making of this part of the claim to its payment, shall be paid out of the taxes to be collected for the fiscal year commencing November 1, 1875: *Provided*, That the said Thomas W. Price & Co., at the time of payment, turn in and cancel all certificates or orders to the State Treasurer that they or their agents may have received in payment of amounts due them.

Approved February 9, 1875.

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**No. 11. JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF THE OFFICERS, ATTACHEES AND EMPLOYEES, AND CONTINGENT EXPENSES OF THE PRESENT SESSION OF THE GENERAL ASSEMBLY.**

Appropriation  
for officers, &c.,  
of General As-  
sembly.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and required to pay the certificates of the officers, attachees and employees, and contingent expenses, passed at the present session of the General Assembly, out of the moneys received as interest on deposits, fees of the Secretary of State's office, and so much of the revenues from phosphate royalty as may be necessary.

Approved February 18, 1875.

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**No. 12. JOINT RESOLUTION TO AMEND SECTION 3, CHAPTER CXI, OF THE GENERAL STATUTES.**

Preamble.

Whereas the Judge of the Eighth Circuit has decided that there could be no Court held for Anderson County during the year 1875, owing to the fact that the jury lists were drawn by a Jury Commissioner whose term of office had expired; and

Whereas there can be no other jury list drawn for the said year, as the time in which the jury lists are to be drawn has expired, unless the General Assembly, by special Act, shall so order; therefore,

When jury  
lists may be  
prepared.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of Chapter CXI of the General Statutes, which requires that the Board of Jury Commissioners shall prepare a jury list in each County in the month of January of each year, be so amended as to make it lawful for the said Board to prepare the jury lists for any

OF SOUTH CAROLINA.

1007

of the Counties in the State during the year 1875, before the fifteenth of March of said year, where there has been a failure or neglect to draw a jury in accordance with law.

SEC. 2. That from the lists so prepared all grand and petit jurors, required by law for said year 1875, shall be drawn, summoned and returned in the same manner now prescribed by law. A. D. 1875.  
Juries to be drawn from said lists.

Approved February 19, 1875.

JOINT RESOLUTION TO ALLOW JOHN B. GOODWIN, FRANK NO. 13.  
GOODWIN AND JOSEPH HAWKINS TO REDEEM CERTAIN FORFEITED LANDS.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John B. Goodwin, Frank Goodwin and Joseph Hawkins, of the County of Richland, be, and they are hereby, allowed to redeem certain lands formerly owned by them in common in said County, that is to say, forty-five (45) acres formerly belonging to J. B. Goodwin, fifty (50) acres formerly belonging to Frank Goodwin, and thirty-seven (37) acres formerly belonging to Joseph Hawkins, more or less, which have become forfeited to the State for non-payment of taxes, and the want of bidders at the sale of the same, on condition that they shall pay over to the County Treasurer of Richland all taxes and penalties and costs which are due upon the same, after which the County Auditor

J. B. Goodwin et al. to redeem forfeited lands.

County Auditor to expunge same from forfeited land record.

shall expunge the said lands from the forfeited land record of the County of Richland.

Approved February 23, 1875.

JOINT RESOLUTION DIRECTING AND REQUIRING THE STATE NO. 14.  
TREASURER TO PAY CERTAIN MONEYS TO THE WIDOW OF  
THE LATE JUDGE GREEN.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, directed and required to pay to the widow of the late John T. Green, Judge of the Third Judicial Circuit, the amount of the salary that would have been due to him for the present quarter of the current fiscal year ending April 30, 1875; also the amount

Salary due Judge Green to be paid to his widow.

A. D. 1875.

of \$243 balance of salary, which is still due for the years 1872-73, as appears by Treasurer's books; and such amount is hereby appropriated, to be paid out of proceeds of tax levy for salaries and contingents for fiscal year ending October 31, 1875.

Approved February 23, 1875.

**No. 15. JOINT RESOLUTION TO ALLOW ELIZA SARAH SEABROOK TO REDEEM CERTAIN LANDS ON JOHN'S ISLAND, IN CHARLESTON COUNTY, FORFEITED FOR NON-PAYMENT OF TAXES.**

E. S. Seabrook  
to redeem for-  
feited lands.

County Audi-  
tor to expunge  
same from for-  
feited land re-  
cord.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Eliza Sarah Seabrook, a minor, of Charleston County, be, and she is hereby, allowed to redeem certain lands owned by her on John's Island, in said County, which have been forfeited to the State by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that she shall pay over to the County Treasurer of Charleston County all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Charleston.

Approved February 23, 1875.

**No. 16. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO RE-ISSUE TO R. J. MIDDLETON, SURVIVING TRUSTEE OF ADELE J. NEWTON AND CHILDREN, CERTAIN CERTIFICATES OF STOCK.**

Preamble.

Whereas it appears, by the books of the State Treasurer, that there has been duly issued certain certificates of State stock, to the amount of ten thousand seven hundred and thirty dollars, (\$10,730,) to Thomas and R. J. Middleton, Trustees of Adele J. Newton and children; and whereas said stock has been lost or mislaid; and whereas it is equitable and just that the stock should be renewed on the part of the State; therefore,

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to R. J. Middleton, surviving Trustee of Adele J. Newton and children, certificates of stock of the

Re-issue of  
stock to R. J.  
Middleton.

same amount, payable at the same time, and bearing the same rate of interest as those lost or mislaid; and the said R. J. Middleton is hereby required to deposit with the State Treasurer a bond, legally executed, in the penal sum of twenty-one thousand four hundred and sixty dollars, (\$21,460,) to indemnify the State against loss.

A. D. 1875.

Bond of indemnity.

Approved February 23, 1875.

**JOINT RESOLUTION TO ALLOW EDWARD R. ARTHUR TO RE-DEEM CERTAIN FORFEITED LANDS IN RICHLAND COUNTY.**

No. 17.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward R. Arthur be, and he is hereby, allowed to redeem certain lands formerly owned by Gilbert Garner, now a bankrupt, which lands are in the custody of the United States District Court for South Carolina, situate in Richland County, and consisting of twelve hundred and eighty acres of land, more or less, which have become forfeited to the State because taxes were not paid thereon by the Assignee in Bankruptcy, nor were entered for taxation by him, by virtue of the non-payment of taxes and the want of bidders at the sale of the same, on condition that the said Edward R. Arthur, who is agent for three several judgment creditors of the said Gilbert Garner, shall pay over to the County Treasurer of Richland County the actual taxes due thereon for the years ending January 1, 1873, and January 1, 1874, without penalties or costs, after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Richland.

E. R. Arthur  
to redeem for-  
feited lands.County Audi-  
tor to expunge  
same from for-  
feited land re-  
cord.

Approved March 3, 1871.

**JOINT RESOLUTION TO RATIFY THE AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA, RELATIVE TO THE TERMS OF OFFICE OF COMPTROLLER GENERAL, SECRETARY OF STATE, TREASURER, ATTORNEY GENERAL, ADJUTANT AND INSPECTOR GENERAL, AND SUPERINTENDENT OF EDUCATION.**

No. 18.

Whereas Article XV of the Constitution of the State of South Carolina provides that an amendment or amendments may be made to the same, and that such amendment or amendments shall be agreed to by two-thirds of the members elected to each House, such

Preamble.

A. D. 1875.

Amendment relative to terms of office of State officers.

amendment and amendments to be entered on the Journals, respectively, with the yeas and nays taken thereon; and that the same shall be submitted to the qualified electors of the State at the next general election thereafter for Representatives, and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment or amendments, and two-thirds of each branch of the next General Assembly shall, after such an election, and before another, ratify the same amendment or amendments, by yeas and nays, the same shall become part of the Constitution: *Provided*, That such amendment or amendments shall have been read three times, on three several days, in each House; and whereas the General Assembly, at its last session, did, in each branch, pass a Joint Resolution proposing an amendment to the Constitution of the State of South Carolina, which was agreed to by two-thirds of its members, to wit: "Strike out of Section 23 of Article III the word 'four,' occurring in the third line, and insert the word 'two,' so that the Section of the Constitution will read, when amended, as follows:

Term of office to be two years.

"SECTION 23. There shall be elected, by the qualified voters of the State, a Comptroller General, Secretary of State, Treasurer, Attorney General, Adjutant and Inspector General, and Superintendent of Education, who shall hold their respective offices for the term of two years, and whose duties and compensation shall be prescribed by law;"

And whereas the said proposed amendment has been submitted to the electors qualified to vote for members of the General Assembly, at the "next general election" following the action of the General Assembly, and a majority of the said electors voting thereon have voted in favor of the same; therefore,

Amendment declared a part of Constitution.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the amendment to the Constitution of the State of South Carolina, proposed and agreed to by two-thirds of the members of each branch of the last General Assembly, and voted for by a majority of the electors qualified to vote for members of the General Assembly at the last general election, voting thereon, to wit: "Strike out of Section 23 of Article III the word 'four,' occurring in the third line, and insert the word 'two,' so that the Section of the Constitution will read, when amended, as follows:

"SECTION 23. There shall be elected, by the qualified voters of the State, a Comptroller General, Secretary of State, Treasurer, Attorney General, Adjutant and Inspector General, and Superintendent of Education, who shall hold their respective offices for the term of

two years, and whose duties and compensation shall be prescribed by law," be, and the same is hereby, ratified and made a part of the Constitution of the State of South Carolina.

A. D. 1875.

Approved March 5, 1875.

**JOINT RESOLUTION TO LEVY AND COLLECT A SPECIAL TAX No. 19.  
TO PAY PAST DUE INDEBTEDNESS OF SPARTANBURG COUNTY.**

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Spartanburg County be, and they are hereby, authorized and required to levy and collect, at the time of the collection of the regular tax, a special tax of two mills on the dollar on the taxable property of the said County; said tax of two mills to be devoted exclusively to the payment of the past due indebtedness of said County.

Special tax  
of two mills.

SEC. 2. That the proceeds of the tax hereby levied shall be paid *pro rata* upon all claims passed and audited prior to the first day of November, 1874: *Provided*, That no portion of the amount raised by said levy shall be applied to the payment of any past indebtedness accrued on account of the probate of jurors' and witnesses' certificates in the Courts of Trial Justices in said County.

Proceeds,  
how payable.

Approved March 8, 1875.

**JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF CHESTERFIELD COUNTY TO LEVY A SPECIAL TAX.** No. 20.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Chesterfield County be, and they are hereby, authorized to cause to be levied and collected, at the same time and in the same manner as the general tax is levied and collected, for the fiscal year commencing November 1, 1875, a special tax of two (2)

Special tax  
of two mills.

A. D. 1875.

mills upon the dollar on all the taxable property of the said County, said tax to be devoted exclusively to the payment of the past due indebtedness, and such levy to continue from year to year until the same be paid.

Approved March 8, 1875.

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**No. 21. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF TWO MILLS TO PAY PAST DUE INDEBTEDNESS.**

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Colleton County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills upon the dollar on the taxable property of said County; said tax to be devoted to the exclusive liquidation of the past due indebtedness of said County.

*Special tax  
of two mills.*

Approved March 8, 1875.

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**No. 22. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF SUMTER COUNTY TO DEVOTE ONE MILL OF TAX LEVIED FOR COUNTY PURPOSES, FOR FISCAL YEAR 1874-75, TO PAYMENT OF PAST DUE INDEBTEDNESS OF SAID COUNTY.**

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Sumter County be, and they are hereby, authorized, to devote the proceeds of one mill of the tax levied and collected for County purposes for the fiscal year 1874-75 to the payment of the past due indebtedness of said County.

*One mill of  
tax for year  
1874-75 applic-  
able to past  
indebtendess.*

Approved March 8, 1875.

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JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF MARLBORO COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF ONE AND ONE-HALF (1½) MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF SAID COUNTY.

A. D. 1875.  
No. 23.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Marlboro County be, and they are hereby, authorized and directed to levy and collect a special tax of one and one-half mills on the dollar on the taxable property of said County, at the same time and in the same manner as provided by law for the collection of taxes for the fiscal year commencing November 1st, 1875, said tax to be devoted exclusively to the payment of the past indebtedness of the County.

Special tax  
of two mills.

Approved March 9, 1875.

JOINT RESOLUTION AUTHORIZING AND DIRECTING THE TRUSTEES OF THE STATE ORPHAN ASYLUM TO REMOVE SAID INSTITUTION FROM THE CITY OF CHARLESTON TO THE CITY OF COLUMBIA.

No. 24.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trustees of the State Orphan Asylum, now located in the city of Charleston, be, and they are hereby, authorized and directed to remove said State Orphan Asylum from said city of Charleston, and locate and permanently establish the same in the city of Columbia.

Asylum to be removed to Columbia.

Approved March 9, 1875.

JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF CLARENDON AND FAIRFIELD COUNTIES TO LEVY AND COLLECT A SPECIAL TAX OF ONE AND ONE-HALF MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST DUE INDEBTEDNESS OF SAID COUNTIES, AND TO REGULATE THE MANNER OF DISBURSING THE SAME.

No. 25.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-

A. D. 1875.

ereral Assembly, and by the authority of the same, That the County Commissioners of Clarendon and Fairfield Counties be, and they are hereby, authorized and required to levy and collect a special tax of one and one-half mills on the dollar on the taxable property of the said Counties, said tax to be devoted exclusively to the payment of the past due indebtedness of said Counties.

Special tax of  
one and one-  
half mills.

SEC. 2. That it shall be the duty of the County Treasurers of Clarendon and Fairfield Counties to report to their respective Boards of County Commissioners of said Counties whenever they shall have collected one thousand dollars of the special tax herein provided for, at which time the said County Commissioners shall advertise for thirty days for sealed bids from parties holding checks or audited claims contracted prior to the 31st day of October, 1874; said bids shall be opened at a regular meeting of the Board, and they shall draw orders on the Treasurer for parties who will offer the largest per centum discount on the checks or audited claims.

Proceeds, how  
payable.

SEC. 3. That all persons holding claims against the Counties of Clarendon and Fairfield are hereby required to file a list of such claims, with the amount, date and particulars thereof, in the office of Clerk of Court, as provided for by a Joint Resolution requiring the registration of claims of said County.

Claims to be registered.

SEC. 4. That all persons holding claims against the County of Fairfield are also hereby required to file a list of such claims, with the amount, date and particulars thereof, in the office of the Clerk of said County.

SEC. 5. That all Acts, parts of Acts, Joint Resolutions or parts of Joint Resolutions, conflicting with the provisions of this Joint Resolution, be, and the same are hereby, repealed.

Approved March 10, 1875.

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No. 26. JOINT RESOLUTION TO RATIFY THE AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA RELATIVE TO THE BOUNDARY LINE OF PICKENS AND OCONEE COUNTIES.

Preamble.

Amendment  
relative to  
boundary line  
of Pickens and  
Oconee.

Whereas Article XV of the Constitution of the State of South Carolina provides that an amendment or amendments may be made to the same, and that such amendment or amendments shall be agreed to by two-thirds of the members elected to each House, such amendment or amendments to be entered on the Journals, respectively, with the yeas and nays taken thereon; and that the same shall be submitted to the qualified electors of the State at the next general elec-

tion thereafter for Representatives, and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment or amendments, and two-thirds of each branch of the next General Assembly shall, after such an election, and before another, ratify the same amendment or amendments by yeas and nays, the same shall become part of the Constitution: *Provided*, That such amendment or amendments shall have been read three times, on three several days, in each House; and, whereas, the General Assembly, at its last session, did, in each branch, pass a Joint Resolution proposing an amendment to the Constitution of the State of South Carolina, which was agreed to by two-thirds of its members, to wit: "That Section 3 of Article II of the Constitution of the State be amended by striking out the words "White Water River," in the fifth line of said Section, and inserting in the place thereof the words "Taxaway River;" and, whereas, the said proposed amendment has been submitted to the electors, qualified to vote for members of the General Assembly, at the "next general election" following the action of the General Assembly, and a majority of the said electors voting thereon have voted in favor of the same; therefore,

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the amendment to the Constitution of the State of South Carolina, proposed and agreed to by two-thirds of the members of each branch of the last General Assembly, and voted for by a majority of the electors qualified to vote for members of the General Assembly at the last general election, voting thereon, to wit: "That Section 3 of Article II of the Constitution of the State be amended by striking out the words "White Water River," in the fifth line of said Section, and inserting in the place thereof the words "Taxaway River," be, and the same is hereby, ratified and made a part of the Constitution of the State of South Carolina.

Approved March 11, 1875.

A. D. 1875.

"Taxaway  
River" substi-  
tuted for  
"White Water  
River."

Amendment  
declared part  
of Constitution

#### JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO LEVY A SPECIAL TAX.

No. 27.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D. 1875.

<sup>Special tax  
of three mills.</sup>

and by the authority of the same, That the County Commissioners of Orangeburg County be, and they are hereby, authorized and directed to levy and collect a special tax of three mills upon the dollar on the taxable property of said County, to be devoted exclusively to the building of a Court House in said County.

Approved March 11, 1875.

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No. 28. JOINT RESOLUTION TO RELIEVE L. J. JENNINGS, OF GREENVILLE COUNTY, OF AND FROM THE PAYMENT OF CERTAIN TAXES.

<sup>L. J. Jen-</sup>  
<sup>nings relieved  
of certain  
taxes.</sup>

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. J. Jennings, of Greenville County, be, and he is hereby, relieved of and from the payment of taxes for the fiscal year ending 31st October, 1874, on goods to the value of four thousand and seventy dollars, destroyed by fire 16th November, 1874, being part of the goods to the value of five thousand two hundred and seventy dollars, assessed in his name in that County for the year 1874, and that the Comptroller General be, and he is hereby, authorized and directed to rebate the said taxes accordingly.

Approved March 11, 1875.

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No. 29. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF ABBEVILLE COUNTY TO LEVY AND CAUSE TO BE COLLECTED A SPECIAL TAX OF THREE MILLS ON THE DOLLAR.

<sup>Special tax  
of three mills.</sup>

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Abbeville County be, and they are hereby, authorized and directed to levy and cause to be collected a special tax of three mills on the dollar of all the taxable property of the said County, to be collected at the same time and in the same manner as the State and County taxes for the fiscal year commencing the first

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day of November, 1875, and to be devoted to the payment of the A. D. 1875.  
past due indebtedness of the said County.

SEC. 2. That all claims to be paid out of the said special tax Claims to be registered. shall be registered in the office of the County Commissioners on or before the first day of October, 1875.

SEC. 3. That any balance of the said special tax remaining in the County Treasury, after payment of the said claims, shall be applied, Balance, how to be used. first, to the payment of any deficiencies that may occur during the fiscal year ending the thirty-first day of October, 1875, and, second, to the building or repairing of the bridges of the said County.

Approved March 11, 1875.

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JOINT RESOLUTION TO RELIEVE H. L. BUCK, OF HORRY COUNTY, OF CERTAIN TAXES ON PROPERTY DESTROYED BY FIRE ON THE 9TH DAY OF AUGUST, 1874.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Henry L. Buck, of Horry County, is hereby declared to be relieved of taxes assessed against him for the year 1874, on certain property possessed by him on the first day of July, 1874, consisting of an extensive saw mill and lumber establishment, on his premises in said County, which was destroyed by fire on the ninth day of August, 1874, which property was assessed at ten thousand dollars; and the Comptroller General is hereby authorized and directed to relieve the said H. L. Buck Comptroller General to remit. of the payment of the tax so assessed. H. L. Buck relieved of certain taxes.

Approved March 11, 1875.

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JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN MONEYS TO S. W. MCKENZIE.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and directed to pay to S. W. McKenzie, out of any moneys in the State Treasury not Overpaid taxes refunded.

A. D. 1875.

otherwise appropriated, the sum of two hundred and forty-three (243) dollars, being the amount received by the State from the sale of certain forfeited lands in Richland County, formerly belonging to him, over and above the amount of taxes, costs and penalties due upon the said lands at the time of forfeiture, and also the sum of thirteen dollars and forty-four cents (\$13.44), being the amount of the State tax and penalty paid by him upon said lands on assessment erroneously made in his name, after the said lands were forfeited.

Appropriation  
for same.

SEC. 2. That the sum of two hundred and fifty-six dollars and eighty-nine cents (\$256.89) be, and the same is hereby, appropriated for the payment of the amounts hereinbefore mentioned.

Approved March 17, 1875.

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**No. 32. JOINT RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO LAY OUT AND OPEN A PUBLIC HIGHWAY IN SAID COUNTY.**

County Com-  
missioners to  
lay out new  
highways.Route.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lexington County be, and they are hereby, authorized and directed to lay out and open a public highway in said County, commencing at or near Paul Black's store, on the Calk's Ferry Road, and from thence by the most direct and practicable route by way of P. J. Rawls' Mill, on Beaver Dam Creek, crossing the Wyse's Road at or near Uriah Ranch's, and intersecting the Leaphart Road at or near Col. Caughman's old place.

Approved March 17, 1875.

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**No. 33. JOINT RESOLUTION TO RELIEVE A. HENDRIX, OF PICKENS COUNTY, FROM THE PAYMENT OF TAXES DUE ON PROPERTY DESTROYED BY FIRE.**

A. Hendrix  
relieved  
payment of  
certain taxes.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. Hendrix, of Pickens County, be, and he is hereby, relieved from the payment of taxes due on property destroyed by fire on the 8th day of November, 1874, as assessed against said property for the year 1874.

Approved March 17, 1875.

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JOINT RESOLUTION TO APPOINT A COMMITTEE TO INVESTIGATE THE FINANCIAL AFFAIRS OF CHARLESTON COUNTY.

A. D. 1875.  
No. 34.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. A. Trenholm, Aaron Logan, P. C. Lawrence, F. J. Pough, E. J. Logan, T. B. Jones, A. F. Farrar, be, and they are hereby, appointed a Committee to investigate the financial condition of Charleston County, and that said Committee report back to this General Assembly as soon as is practicable; and that the said Committee have power to administer oaths and take testimony concerning all transactions or payments of money by the County Commissioners or other officers of said County: *Provided*, That no expense be thereby incurred by the State or said County.

Committee.

Powers.

Proviso.

Approved March 17, 1875.

JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF LANCASTER COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF TWO MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST DUE INDEBTEDNESS OF THE SAID COUNTY.

No. 35.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lancaster County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills upon the dollar on the taxable property of the said County; said tax to be devoted exclusively to the payment of the past due indebtedness of the County.

Special tax to  
be levied.

Approved March 17, 1875.

A. D. 1875.  
No. 36.

JOINT RESOLUTION TO PROVIDE FOR A RE-ASSESSMENT OF  
REAL ESTATE IN THE COUNTY OF GREENVILLE IN THE YEAR  
1875.

Preamble.

Re-assessment  
of real estate  
to be made.

Whereas the assessment of real estate in the County of Greenville, in the year 1874, was, in many respects, not in conformity to law, and does not represent the true value of said real estate; therefore,

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, required to cause to be made a re-assessment of the real estate in said County in the present year in accordance with law.

Approved March 20, 1875.

No. 37. JOINT RESOLUTION GIVING J. HAMMOND FORDHAM, Esq.,  
CORONER ELECT FOR ORANGEBURG COUNTY, FURTHER TIME  
TO EXECUTE HIS BOND.

Preamble.

Whereas it is a fact that the bond of J. Hammond Fordham, Esq., Coroner elect of Orangeburg County, State of South Carolina, was approved by the County Commissioners of said County, but reached the Secretary of State's office after the expiration of the time prescribed by law, by no fault, however, of the said J. Hammond Fordham; therefore,

Extension of  
time for qualifi-  
cation.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the time for the executing of J. Hammond Fordham's bond, as Coroner of Orangeburg County, be extended twenty days after the passage of this Joint Resolution, and that he be required to have his bond duly executed on or before that day.

Approved March 20, 1875.

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JOINT RESOLUTION DIRECTING AND REQUIRING THE COUNTY  
COMMISSIONERS OF CHARLESTON COUNTY TO DEVOTE ONE MILL  
OF THE TAX LEVIED AND COLLECTED FOR THE FISCAL YEAR  
1874-75 TO THE PAYMENT OF THE PAST INDEBTEDNESS OF SAID  
COUNTY.

A. D. 1875.  
No. 38.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Charleston County be, and they are hereby, authorized and required to devote one mill of the tax levied and collected for the fiscal year 1874-75 to the payment of the past due indebtedness of said County, to be paid on checks drawn by the said Board of County Commissioners upon the County Treasurer.

County Com-  
missioners to  
levy special  
tax.

Approved March 20, 1875.

JOINT RESOLUTION TO MAKE CERTAIN CLAIMS AGAINST  
THE COUNTY OF EDGEFIELD PAYABLE OUT OF THE PROCEEDS  
OF THE SPECIAL TAX AUTHORIZED BY A JOINT RESOLUTION  
ENTITLED "JOINT RESOLUTION TO AUTHORIZE THE COUNTY  
COMMISSIONERS OF EDGEFIELD COUNTY TO LEVY A SPECIAL  
TAX OF THREE MILLS, TO BE LEVIED AT THE TIME OF THE  
GENERAL TAX," APPROVED DECEMBER 22, 1873. No. 39.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all past due claims which have heretofore been audited and allowed by the County Commissioners of Edgefield County, prior to October 31, 1874, shall be, and are hereby, made payable out of the proceeds of the special tax levied and collected with the general tax of 1874, under the provisions of the Joint Resolution approved December 22, 1873, entitled "Joint Resolution to authorize the County Commissioners of Edgefield County to levy a special tax of three mills, to be levied at the time of the general tax."

Past due  
claims to be  
paid out of spe-  
cial tax.

Approved March 22, 1875.

A. D. 1875.  
No. 40.

**JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO LEVY AND COLLECT A SPECIAL TAX.**

*Special tax to be levied.*

*How to be applied.*

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Colleton County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills on the dollar on all the taxable property of said County, for the fiscal year 1875-76, the said tax to be used exclusively in the payment of expenses incurred in the construction of the public road directed to be established under the provisions of an Act entitled "An Act to establish a public road in Colleton County," approved February 27, 1873, and Acts amendatory thereto.

Approved March 25, 1875.

**No. 41. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF CHESTER COUNTY TO LEVY AND COLLECT A SPECIAL TAX, AND TO REGULATE THE MANNER OF DISBURSING THE SAME.**

*Special tax of 1½ mills.*

**SECTION 1.** *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Chester County be, and they are hereby, authorized and directed to levy and collect a special tax of one and one-half mills upon the dollar on the taxable property of the said County, said tax to be devoted exclusively to the payment of the past due indebtedness of said County.

*Holders of claims to file same.*

**SEC. 2.** That all persons holding claims against said County be, and they are hereby, required to file the same, properly proven, with the Clerk of the Court of said County; and the said Clerk of the Court shall classify and register, in a book provided for the purpose, all of said claims in the order in which the County Treasurer shall pay them; after which the said Clerk shall return all of said claims, so proven and classified, to the County Commissioners of said County, whose duty it shall be to issue to the holders of said claims a check upon the County Treasurer, payable whenever said special levy shall have been collected, as hereinbefore provided.

*Treasurer to pay.*

Approved March 25, 1875.

OF SOUTH CAROLINA.

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JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION AUTHORIZING AND REQUIRING THE STATE TREASURER TO PAY TO THE COUNTY TREASURER OF GREENVILLE COUNTY THE SUM OF TEN THOUSAND AND FIFTY DOLLARS, TO BE APPLIED TO FREE SCHOOL PURPOSES," APPROVED MARCH 14, 1874.

A. D. 1875.  
No. 42.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Joint Resolution entitled "Joint Resolution authorizing and requiring the State Treasurer to pay to the County Treasurer of Greenville County the sum of ten thousand and fifty dollars, to be applied to free school purposes," approved March 14, 1874, be, and the same is hereby, amended as follows, to wit: By inserting after the figures "1873," on the fourth line from the end thereof, and before the word "*Provided*," on the third line from the end thereof, the following words and figures: "And any unexpended balance of said sum or appropriation, remaining after the payment of said claims for the fiscal year ending October 31, 1873, shall be applied to the payment of the unpaid school claims of said County for the fiscal years ending October 31, 1874, and October 31, 1875."

Unexpended  
balance, how to  
be applied.

Approved March 25, 1875.

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JOINT RESOLUTION TO REMOVE THE DEAF, DUMB AND NO. 43.  
BLIND ASYLUM TO THE CITY OF COLUMBIA.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor, State Superintendent of Education and Secretary of State be, and they are hereby, authorized and empowered to enter into such arrangements and negotiations, and to fully carry out the same, as may be necessary to effect a removal of the Deaf, Dumb and Blind Asylum, at present located in the County of Spartanburg, to the city of Columbia.

Board cre-  
ated to effect  
removal.

Approved March 25, 1875.

A. D. 1875. JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO LEVY AND COLLECT A SPECIAL TAX TO PAY PAST DUE INDEBTEDNESS OF SPARTANBURG COUNTY," APPROVED MARCH 8, 1875.

*One-half  
mill to be de-  
voted to repairs  
to bridges.*

*Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Joint Resolution approved March 8, A. D. 1875, which authorizes and requires the County Commissioners of Spartanburg County to levy and collect a special tax of two mills on the dollar on the taxable property of said County, for the payment of past due indebtedness of said County, be so amended as to authorize and empower the said County Commissioners of Spartanburg County to devote one-half mill of the said two mills provided for past indebtedness to the repairing and construction of bridges in the County of Spartanburg.*

Approved March 25, 1875.

No. 45. JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED A 'JOINT RESOLUTION TO APPOINT TRUSTEES UNDER THE WILL OF THE LATE DR. JOHN DE LA HOWE.'"

*W. D. Mars  
named instead  
of C. B. Guffin.*

*Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of a Joint Resolution entitled a "Joint Resolution to appoint Trustees under the will of the late Dr. John De La Howe," be, and the same is hereby, amended by striking out, wherever it occurs, the name of C. B. Guffin, Esq., deceased, in said Joint Resolution, and inserting in lieu thereof the name of W. D. Mars."*

Approved March 25, 1875.

**JOINT RESOLUTION AUTHORIZING AND DIRECTING THE STATE TREASURER TO BORROW A SUFFICIENT AMOUNT FOR THE PAYMENT OF THE EMPLOYEES OF THE GENERAL ASSEMBLY, AND FOR OTHER PURPOSES.**

A. D. 1875.  
No. 46.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized, immediately upon the passage of this Joint Resolution, to negotiate for the loan of a sum not exceeding twenty thousand dollars, at the rate not to exceed one and one-half per cent. per month, to pay the employees and contingent expenses of the General Assembly for the present session, said sum, together with the interest, to be repaid out of the revenue derived from phosphates during the current year, as is provided for in the Joint Resolution approved the 18th day of February, A. D. 1875, entitled "Joint Resolution to provide for the payment of the officers, attachees and employees, and contingent expenses of the present session of the General Assembly."

State Treasurer to negotiate loan.

How to be applied.

Approved March 26, 1875.

**JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA.**

No. 47.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following amendment to the Constitution of the State be submitted to the qualified electors of the State, at the next general election, and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such election, and before another, ratify the same amendment, by yeas and nays, it shall be part of the Constitution, to wit: That Section 5, Article X, be amended so as to read as follows:

Proposition.

"SECTION 5. The Boards of County Commissioners of the several Counties shall levy an annual tax of not less than two mills on the dollar upon all the taxable property in their respective Counties, which levy shall not be increased unless by special enactment of the General Assembly, for the support of public schools in their respective Counties, which tax shall be collected at the same time and by the same officers as the other taxes for the same year, and shall be

Amendment.

A. D. 1875.

held in the County Treasuries of the respective Counties, and paid out exclusively for the support of public schools as provided by law. There shall be assessed on all taxable polls in the State an annual tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes: *Provided*, That no person shall ever be deprived of the right of suffrage for the non-payment of said tax. No other poll or capitation tax shall be levied in the State, nor shall the amount assessed on each poll exceed the limit given in this Section. The school tax shall be distributed among the several school districts of the Counties, in proportion to the respective number of pupils attending the public schools. No religious sect or sects shall have exclusive right to, or control of, any part of the school funds of the State, nor shall sectarian principles be taught in the public schools."

Question of  
adoption, how  
to be submit-  
ted.

That the question of adopting this amendment shall be submitted to the electors as follows: Those in favor of the amendment shall deposit a ballot, with the following words written or printed thereon: "Constitutional Amendment—Yes." Those opposed to said amendment shall cast a ballot, with the following words written or printed thereon: "Constitutional Amendment—No."

Approved March 26, 1875.

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No. 48. JOINT RESOLUTION PROVIDING FOR THE PAYMENT OF CERTAIN MONEYS TO THE LATE COUNTY COMMISSIONERS OF DARLINGTON COUNTY.

County Com-  
missioners to  
draw warrants.

Treasurer to  
pay.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Darlington County be, and they are hereby, directed and required to draw their warrants on the County Treasurer of the said County, in favor of Jonathan Wright, F. A. Thomas and Jackson A. Smith, late County Commissioners of the said County, for the sum of five hundred dollars each, being the amount expended by each of them for counsel fees in a certain suit brought against them, as such Commissioners, in 1870, with lawful interest thereon from the time of such expenditure; and the said County Treasurer be, and he is hereby, directed and required to pay the amount of said warrants out of the taxes levied and collected for the current fiscal year, to be applied exclusively to the settlement of the past indebtedness of the said County.

Approved March 26, 1875.

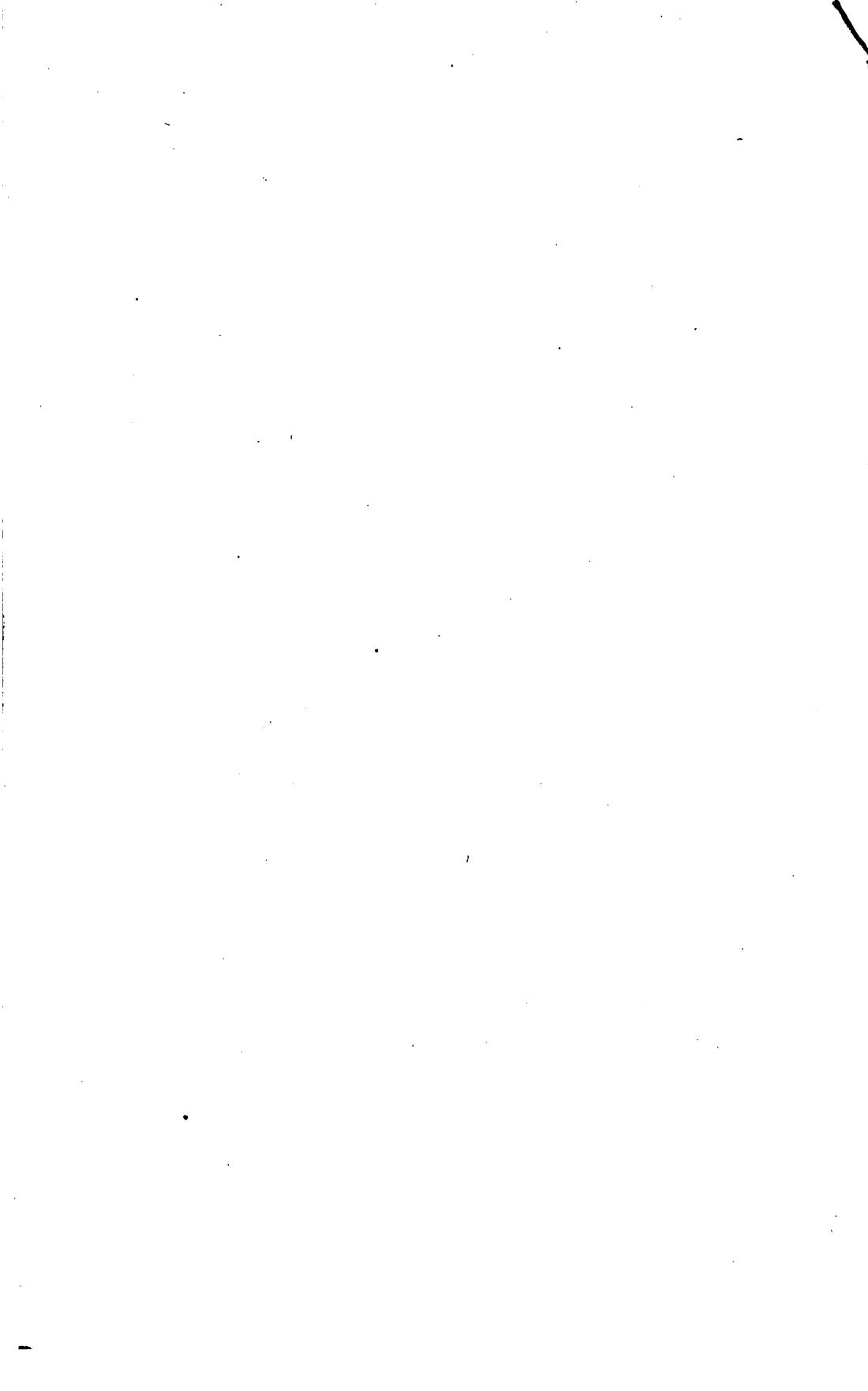
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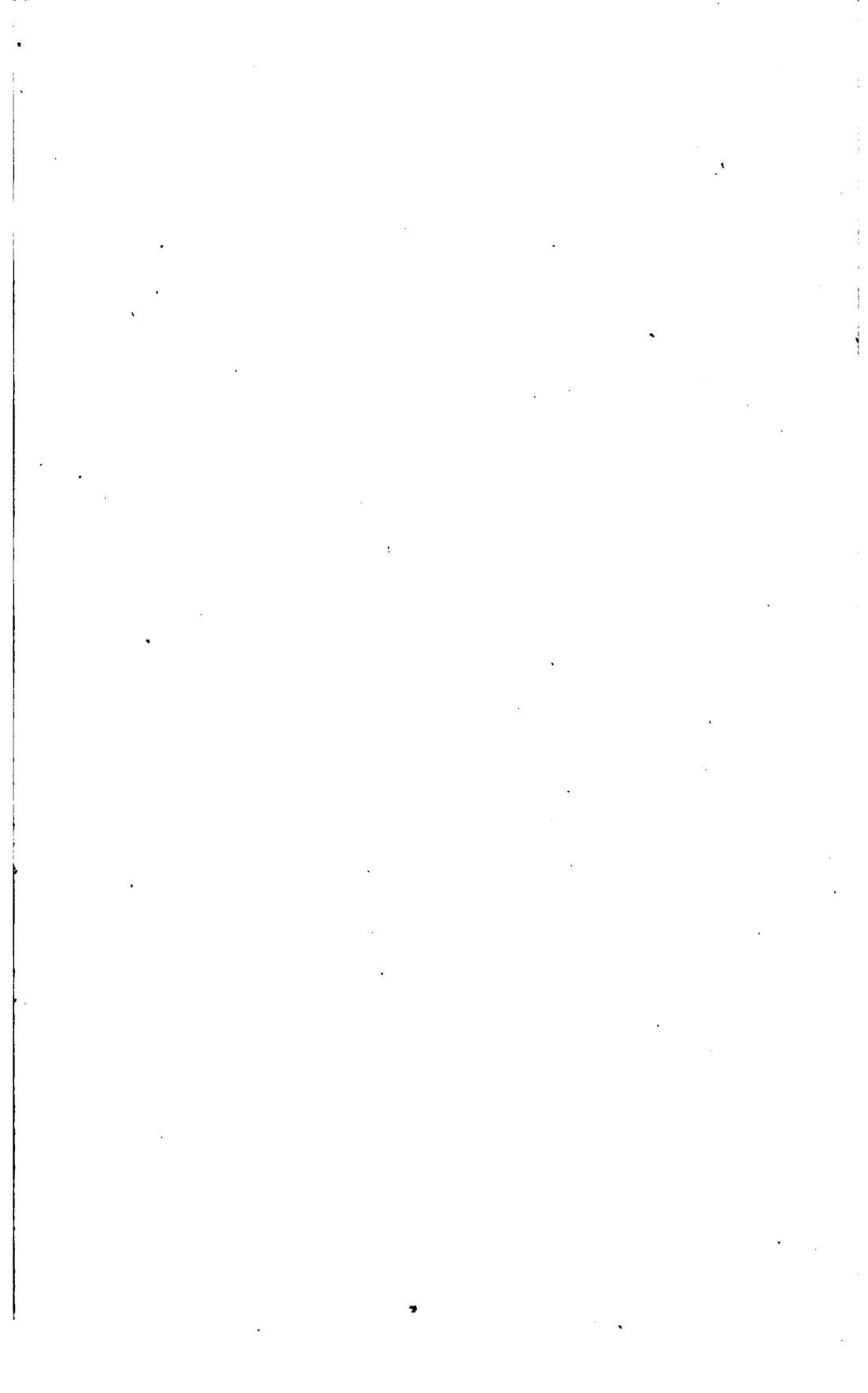
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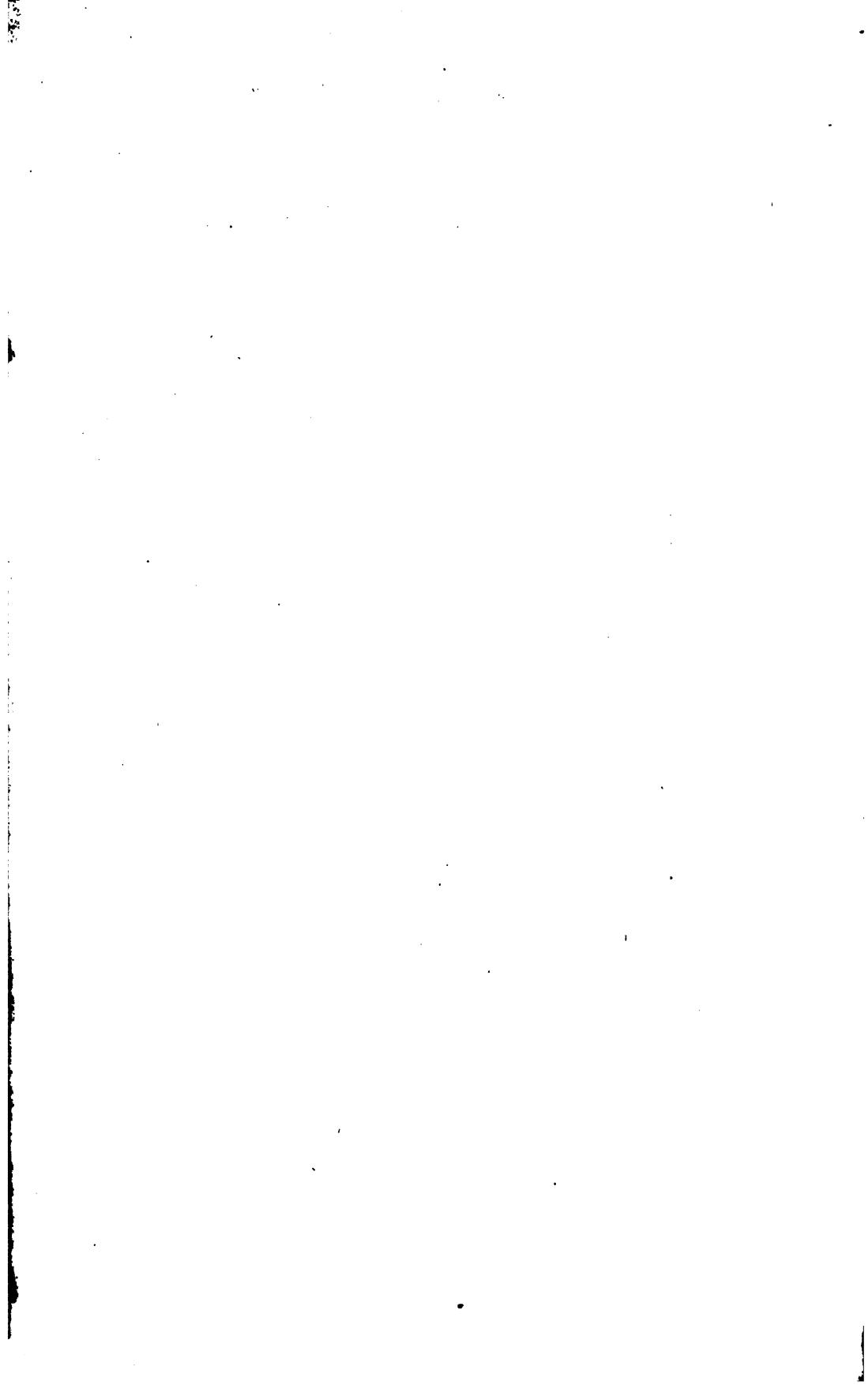
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